

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13028 of 2016

Arising Out of PS.Case No. -58 Year- 2013 Thana -GAYA GRP CASE District- GAYA

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Naresh Yadav son of Late Jageshwar Yadav resident of village Kachanpur
PS Anti Dist. Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s Mr. Md.Ataur Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 31.03.2016

Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section 302/34 of the Indian Penal Code as well as section 27 of the Arms Act.

Informant is not eye-witness of alleged occurrence but in course of investigation, first wife of the deceased disclosed that the deceased had illicit relation with one Anita Devi who subsequently, developed her illicit relation with the petitioner which was opposed by the deceased and thereafter, said Anita Devi and the petitioner, having entered into conspiracy, committed murder of the deceased.

It appears that the aforesaid fact has been stated by some witnesses and not a single witness came forward to claim himself to be eye-witness of the alleged occurrence.

Moreover, co-accused Anita Devi has already been granted privilege of bail by a coordinate bench of this court vide order dated

21.02.2014 passed in Cr. Misc. no.134/2014. Investigation against the petitioner has already been completed.

Accordingly, petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Railway Judicial Magistrate, Gaya in Gaya Rail P.S. Case no. 58/2013.

(Hemant Kumar Srivastava,J)

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