

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17112 of 2016

Arising Out of PS.Case No. -98 Year- 2015 Thana -LAXMIPUR District- JAMUI

1. Bijay Yadav, son of Arjun Yadav
2. Jagdish Yadav, son of Arjun Yadav
Both are resident of village –Harchak (Haralwa), Police Station Laxmipur,
District Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.
Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. C.Jawahar (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

6 14-07-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Laxmipur Police Station Case No. 98 of 2015,
disclosing offences under Section 364/34 of the Indian Penal
Code.

From the First Information Report, it appears
that the informant's wife went missing on 19.05.2015 for
which the informant gave a written report to the police on
20.05.2015. The dead body of the informant's wife was
subsequently found on 23.05.2015.

It is alleged in the First Information Report that
on the day of occurrence, some altercation had taken place

between the deceased and the present petitioner, who believed her to be practicing witchcraft.

Learned Senior Counsel appearing on behalf of the petitioners has submitted that there is absolutely no material except suspicion that the petitioner might have been responsible for the death of the deceased.

Learned Additional Public Prosecutor appearing on behalf of the State has not been able to point out from the case diary any material indicating involvement of these petitioners.

Considering the above submission, this application is allowed.

Let the petitioners, namely, Bijay Yadav and Jagdish Yadav, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Jamui, in connection with Laxmipur Police Station Case No. 98 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required

and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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