

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47125 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -LAXMIPUR District- JAMUI

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1. Mukesh Rajak @ Mukesh Kumar @ Karu Rajak
2. Chandu Rajak, Both sons of Kalit Rajak, resident of Village Tatariya P.s.
Barhat, District, Jamui.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Chaubey Jawahar

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**
ORAL ORDER

3 09-12-2016 Counter affidavit is filed on behalf of the informant.

Heard learned counsel for the petitioners, learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Petitioners seek bail in a case registered for the
offences punishable under Sections 363, 302, 34 of the Indian
Penal Code.

Petitioners are named in the first information report
but only suspicion has been raised against the petitioners and other
accused on the ground that deceased had love affair with one Beli
Kumari, who happened to be daughter of F.I.R. named accused,
Kalit Rajak. However, in course of investigation, the investigating



officer collected the CDR of mobile of deceased and noticed that deceased had talked with petitioner no. 2 before leaving his house. It appears that in course of investigation, some witnesses claimed that hands of the deceased were tied with piece of a saree and remaining part of aforesaid saree was recovered from the house of the accused persons. The above stated fact has also been mentioned by the supervising authority in supervision note but it is surprising enough that investigating officer has not mentioned in the case diary as to when the aforesaid clothes were seized by him nor any seizure list has been brought on the case diary.

Learned counsel appearing for the informant vehemently opposed the prayer submitting that some co-accused have been released on bail by a co-ordinate Bench of this court but after release they are giving threatening to the informant as well as other witnesses of the present case and for which a complaint case has been lodged which is pending.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that co-accused, Kalit Rajak as well as Pappu Rajak have already been granted privilege of bail by a co-ordinate Bench of this court, let the petitioners 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 Sri Amrendra Kumar,
Judicial Magistrate 1st Class, Jamui in connection with Laxamipur
P.S. Case No. 57 of 2016.

(Hemant Kumar Srivastava, J)

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