

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10590 of 2016

Arising Out of PS.Case No. -700 Year- 2014 Thana -LAKHISARAI District- LAKHISARAI

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Ganesh Yadav, Son of Bipin Yadav, Resident of Village - Kishanpur, P.S. -
Lakhisarai, District - Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Upendra Kumar(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-05-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with
Lakhisarai P.S. Case No. 700/14 for offences alleged under
Sections 302/201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that on 07.12.2014 he got telephonic information that his
brother-in-law (Bahnoi) has been killed. Thereafter he proceeded
to village Kishanpur and found the dead body of his brother-in-
law in the mustard field. Informant came to know that petitioner
along with others killed his brother-in-law for property dispute.

It has been submitted by the learned counsel for
the petitioner that he is the nephew of the deceased Bablu Yadav
and the story of land dispute between the father of the petitioner
and the deceased is concocted one. He submits that the allegation

upon the petitioner is only on the basis of secret information and suspicion has been raised against the petitioner and there is no eye-witness to the alleged occurrence. He further submits that the land dispute between the petitioner's father and the deceased is not corroborated by any case lodged between them earlier.

However, learned APP for the State submits that although there is no eye-witness to the alleged occurrence but the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the petitioner is the nephew of the deceased, no land dispute having been earlier lodged by the deceased, there being no eye-witness to the alleged occurrence, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Lakhisarai P.S. Case No. 700/14, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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