

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12405 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana -SIKANDARA District- JAMUI

=====

1. Yogendra Yadav, son of Lakhan Yadav
2. Ramdeo Yadav, son of Bino Yadav
3. Dasrath Yadav, son of Kamo Yadav
All are resident of village+PS- Sikandra, District- Jamui

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

with

Criminal Miscellaneous No.52171 of 2015

Arising Out of PS.Case No. -91 Year- 2015 Thana -SIKANDARA District- JAMUI

=====

1. Jasho Devi, wife of Sadhu Yadav
2. Ratan Yadav, son of Sadhu Yadav
3. Sadhu Yadav, son of Late Lachu Yadav
All are residents of village- Sikandra, P.S.- Sikandra, District- Jamui

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

=====

Appearance :

(In Cr.Misc. No.12405 of 2016)

For the Petitioners : Mr. Ambika Bhagat, Advocate

For the Opposite Party : Mr. Indra Kumar Singh (App)

(In Cr.Misc. No.52171 of 2015)

For the Petitioners : Mr. Bhavesh Kumar, Advocate

For the Opposite Party : Mr. Manish Kumar 2 (App)

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

3 18-04-2016 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Sikandra P.S. Case No. 91/2015 registered for offences punishable under Sections 302, 201/34 of the Indian Penal Code.



As per the allegation, the dead body of Jagan Yadav was found in a field. First Information Report has been lodged by his wife against unknown persons. However, on the same day, it appears that son of the deceased namely Mukesh Yadav had sent a letter addressed to the Officer-in-charge, Sikandar P.S. (Jamui) raising suspicion upon the petitioners for killing his father and also stating that there was some illicit relationship between his father and petitioner Jasho Devi.

It is contended that the informant, in her further statement, has stated that her husband had left her 10-15 years back and started living with Jasho Devi. Since then, he has no connection with her and family members. It also appears that he used to live with Jasho Devi and also cultivate her land and he went outside from the house for that purpose on fateful day. She has not pointed a finger of accusation upon Jasho Devi as has been raised by her son Mukesh Yadav. It is contended that suspicion, however may be strong, cannot take the place of evidence.

Learned counsel appearing for the State has not been able to show from the case diary that apart from suspicion, there is any material available against the accused.

Having regard to the facts and circumstances of the case, let the petitioners namely Yogendra Yadav, Ramdeo Yadav,

W
N C

Dashrath Yadav (in Crl. Misc. no. 12405/2016) and Jasho Devi, Ratan Yadav, Sadhu Yadav (in Crl. Misc. no. 52171/2015) be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today Sikandra P.S. Case No. 91/2015, on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Sri A.K. Singh, J.M. 1st class, Jamui subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J.)

rinkee/-

U			
---	--	--	--