

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27583 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -JHAJHA District- JAMUI

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Shivajee Yadav @ Shibu, son of Shri Narayan Yadav, resident of Tinhara,
P.S. Laxmipur, District- Jamui.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Informant : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

4 21-07-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner seeks bail in connection with Jhajha P.S.
Case No.33 of 2017 registered under Sections 302 and 201/34 of
the Indian Penal Code.

The accusation is that on 15.02.2017, Govind Barnwal,
the cousin of the informant, was called by Sanjeet Barnwal.
Thereafter, Govind Barnwal moved from the house with two
mobile sets boarding on red colour motorcycle saying that he was
called by Sanjeet Barnwal but, thereafter, he did not return. On
16.02.2017 at about 06.00 P.M. in the evening, the dead body of
Govind Barnwal was found at village-Dhamna Salayataar under



Jhajha Police Station, where his motorcycle was also found. There was sharp cutting weapon injury on the neck of Govind Barnwal. The informant raised suspicion against Sanjit Barnwal and his associates having their hands in committing the murder of his cousin Govind Barnwal as Rs.12,00,000/-, as taken by Sanjeet Barnwal by his cousin Govind Barnwal, was due upon Sanjeet Barnwal and he had called him on the pretext to pay the aforesaid money to him.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R. In course of investigation, the petitioner was apprehended by the police, who got recorded his confessional statement showing his hand in the murder of Govind Barnwal, the cousin of the informant, with the help of others. Later on, in paragraphs-20, 21 and 22 of the case diary, the witnesses have raised suspicion against the petitioner on the ground that 3-4 days prior to the occurrence, the petitioner was seen with the deceased and the F.I.R. named accused Sanjeet Barnwal. While the petitioner is accused in two other cases, as detailed in paragraph-3 to this application, but out of the two cases, in one case, the petitioner has already been acquitted and in one case, the petitioner is on bail. The petitioner is in custody since 27.02.2017.



Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jamui, in connection with Jhajha P.S. Case No.33 of 2017. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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