

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51060 of 2017

Arising Out of PS.Case No. -125 Year- 2017 Thana -MADANPURA District- AURANGABAD

- =====
1. Ram Chandra Yadav S/o Late Dharshan Yadav @ Late Dharchhan Yadav
 2. Ajay Yadav S/o Yamuna Yadav
 3. Binay Yadav @ Vinawa @ Vinay Yadav @ Vinawa Yadav S/o Ratan Yadav All are resident of Village- Yadav Nagri (War), P.S. Madanpur, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 05-12-2017 The petitioners seek bail in connection with Madanpur P.S. Case No. 125 of 2017 dated 30.05.2017 instituted for the offences under Section 302/34 of the Indian Penal Code.

The son of the informant had gone to sleep in the newly constructed house and his father who is the informant of this case has alleged that the petitioners and others who are the friends of the deceased have killed him.

The post-mortem report reveals that the deceased has been killed by hard and blunt substance as no sharp



cut or gun shot wound was found on his person.

Though the petitioners have been named in the F.I.R, but only on the basis of suspicion of the father of the deceased.

During the course of investigation, it came to light that three other accused persons had taken meal with the deceased a day prior to the occurrence. The other material which has been collected during the course of investigation is that the petitioners were in constant communication with the deceased. The petitioners hail from the same village and there was no such dispute between them and the deceased for killing him. There is no eye witness to the occurrence. The petitioners were made accused, prior to the present case, in Madanpur P.S. Case No. 137 of 2000 instituted for the offences under Sections 323, 341, 342, 504, 307/34 of the Indian Penal Code in which they have been acquitted.

Taking into account the fact that there is no direct material against the petitioners for killing the deceased and that they are in custody since 13.06.2017, this Court is inclined to grant bail to them.

The petitioners, above named, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/-(ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No. 125 of 2017.

(Ashutosh Kumar, J)

Shageer/-

U		T	
---	--	---	--

