

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52084 of 2017

Arising Out of PS.Case No. -107 Year- 2017 Thana -CHAUSA District- MADHEPURA

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Yogesh Kumar Jaiswal @ Jogesh Bhagat Son of Shiv Narayan Bhagat,
Resident of Village-Arajpur, Sonbarsa Tola, Police Station-Chausa,
District-Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Sri Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 07-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Chausa P.S.

Case No. 107 of 2017 dated 25.04.2017 instituted for the offences
under Sections 302, 201, 120(B) and 34 of the Indian Penal Code.

The son of the informant had witnessed the illicit
relationship between one of the neighbours viz. Punam Devi with one
Rajesh Bhagat. This had led to a furore in the village. It has, thereafter,
been alleged by the informant that the son of the informant was taken
away by the family members of aforesaid Rajesh Bhagat and was
killed. The dead body of the son of the informant was recovered from
the field of one Asgar Ali on 25.04.2017.

Learned counsel for the petitioner has submitted that
even the date of occurrence has not been specifically stated and it has
only been vaguely alleged that the deceased was taken away by the



accused persons on 24.02.2017. When and by what mode the murder was committed is not known. The petitioner is the brother of the aforesaid Rajesh Bhagat who is alleged to have been in illicit relationship with Punam Devi. The entire family members of aforesaid Rajesh Bhagat have been made accused. The father and mother of Rajesh Bhagat, have already been granted bail by a coordinate Bench of this Court vide order dated 05.09.2017 passed in Cr. Misc. No. 38284 of 2017.

Regard being had to the fact that the implication is only on the basis of suspicion and that also because of his relationship with Rajesh Bhagat, this Court is inclined to grant bail to the petitioner.

In the facts and circumstances, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Chausa P.S. Case No. 107 of 2017.

(Ashutosh Kumar, J)

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