

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2228 of 2017

Arising Out of PS.Case No. -174 Year- 2016 Thana -KHUSRUPUR District- PATNA

=====

1. AKHILESH KUMAR @ CHAMAKWA @ AKHILESH YADAV, son
of Sarjug Yadav, resident of village- Gopal Tola, Police Station-
Khushrupur, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh 1, APP

Mr. Arbind Kumar Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 28-02-2017

Heard learned counsel for the petitioner and the

learned A.P.P. for the State as well as counsel for the informant.

The Petitioner seeks bail in Khushrupur P.S. Case
No.174 of 2016 instituted for the offence under Section(s) 302,
201/34 Indian Penal Code.

It has been submitted that the First Information
Report has been instituted against unknown. There is no material
against this petitioner in the case diary except the statement of
Ram Babu Singh about the recovery of dead body and that this
petitioner had called his grand-son. It has further been submitted
that at best it is a case of last seen. It has further been submitted
that the petitioner is not the relative of Ram Surat Singh with
whose daughter-in-law the deceased is alleged to have illicit
relationship.

It has been submitted by the counsel for the



Informant that there is sufficient material in the case with regard to involvement of the petitioner.

According to the *fard-e-bayan* of the Chaukidar, the dead body was found in the field.

In the impugned order, the learned Sessions Judge has mentioned in detail the statement of the witnesses recorded in the case diary. From perusal of the impugned order, it appears that none of the witnesses has levelled any overt act against this petitioner. It has been mentioned in the impugned order that deceased had illicit relationship with the daughter-in-law of Ram Surat Singh and this petitioner is said to be the relative of Ram Surat Singh. The petitioner is in custody since 22.09.2016.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the Petitioner, above named, be released on bail on furnishing bail bond of ₹10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Ashutosh Kumar Rai, Judicial Magistrate, 1st class, Patna City, Patna, in connection with Khusrupur P.S. Case No.174 of 2016, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

JA/-

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

