

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31195 of 2017

Arising Out of PS.Case No. -98 Year- 2011 Thana -JHAJHA District- JAMUI

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1. Rajiya Devi wife of Shyam Sundar Yadav
2. Sanjay Yadav @ Sanjiv Kumar Son of Shyam Sundar Yadav
3. Umesh Yadav Son of Pokhan Yadav
All are residents of village - Rajla, p.s. - Jhajha, District - Jamui.
..... Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioners and learned APP representing the State.

The petitioners apprehend their arrest in connection with Jhajha P.S. Case No. 98 of 2011 registered for the offences punishable under Sections 302, 201, 120B/34 of the Indian Penal Code.

In the first information report the specific allegation is against Ajay Yadav who has killed Indradeo Yadav under collusion and conspiracy with Babita Devi. During investigation the name of the petitioners have also come in the statement of some of the interested witnesses that the petitioners were also present at the time of occurrence and assault.

Submission is of false implication and that the



informant is non-else but the father of the deceased and he has specifically stated that Ajay Yadav killed his son Indradeo Yadav but during investigation to implicate more persons some of the witnesses, who are interested witnesses, have stated the name of the petitioners also regarding their presence at the time of crime, however, there is no specific allegation against them and as such the petitioners deserve sympathetic consideration.

Learned APP fairly submits that in the FIR the petitioners are not named.

In the facts and circumstances stated above, the petitioners above named, in case of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M., Jamui in connection with Jhajha P.S. Case No. 98 of 2011, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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