

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52927 of 2016

Arising Out of PS.Case No. -44 Year- 2002 Thana -ROH District- NAWADA

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1. Nakul Yadav Son of Late Balkishun Yadav
2. Bhim Yadav Son of Late Balkishun Yadav Both Resident of Village-
Harsitpur, P.S.-Roh, District-Nawada

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sheo Kumar Prasad, Advocate.

For the Opposite Party : Mr. Mukeshwar Dayal, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 05-05-2017 Heard both sides.

The petitioners seek bail in Roh P.S. Case No. 44 of 2002 registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code, Section 27 of the Arms Act, Section 3/5 of the Exp. Act and Section 17 of the C.L.A. Act.

Prayer for bail of the petitioners was earlier rejected vide order dated 19.01.2015 passed in Cr. Misc. No. 32557 of 2014.

Learned counsel for the petitioners submits that other accused persons namely Binod Yadav @ Nepali Yadav @ Nepali Jee and Dinesh Rajbanshi have been granted bail vide order dated 12.02.2014 passed in Cr. Misc. No. 54424 of 2013 and order dated 16.08.2010 passed in Cr. Misc. No. 27574 of 2010 but, it appears



that the case of the petitioners is quite different. Other accused persons are not alleged to have beheaded Balkishun Yadav and Anil Yadav. The petitioners Nakul Yadav and Bhim Yadav are alleged to have beheaded two persons besides that the petitioners were absconding for years. A report was called for and the same is received and from the report it appears that only one witness is left to be examined.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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