

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39706 of 2017

Arising Out of PS.Case No. -6 Year- 2014 Thana -KUCHILA District- BHABHUA (KAIMUR)

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Rupesh @ Rupesh Yadav, Son of Balmiki Yadav, R/o Village- Udar Chak,
P.S.- Bikram District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Parwej Khan, Advocate.

For the Opposite Party/s : Mr. Ajay Kumar-1, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 23-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Kuchhila P.S. Case No.
06 of 2014 registered under Sections 394, 302, 201/34, 364, 411,
120B and 174(A) of the Indian Penal Code.

As per the prosecution case, son of the informant
was engaged in selling sand by his tractor. Two-three unknown
miscreants purchased the sand and after getting it unloaded at the
destination looted the said tractor by eliminating his son and the
dead body of his son was found on the following morning in the
wheat field of Gyan Prakash Rai.

It is submitted by learned counsel for the petitioner
that the petitioner is not named in the F.I.R. The stolen tractor was



not recovered from the possession of the petitioner. There is no specific allegation against the petitioner. There is no cogent evidence in the record indicating the complicity of the petitioner in the occurrence barring confessional statement of the co-accused which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 11.04.2017. Similarly situated co-accused Navalesh Kumar Singh has been enlarged on bail by a co-ordinate bench of this court in Cr. Misc. No. 12165 of 2015 vide order dated 24.03.2015.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV, Kaimur at Bhabua in connection with Kuchhila P.S. Case No. 06 of 2014.

(Prakash Chandra Jaiswal, J)

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