

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2175 of 2017

Arising Out of PS.Case No. -81 Year- 2016 Thana -DHARHARA District- MUNGER

=====

Anuj Yadav son of Shyamdeo Yadav resident of village Shri Rampur,
Police Station Akarbarnagar, District Bhagalpur.... Petitioner

Versus

The State of Bihar. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 13-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Dharhara P.S.
Case No. 81 of 2016 registered for the offences punishable under
Sections 364/34 of the Indian Penal Code in which Sections 302, 376,
201, 120B/34 Indian Penal Code were added later on.

Allegedly, Chanda Kumari the daughter of the informant was
married to Gaurav Yadav and thereafter, Gaurav Yadav took away
Chanda Kumari and her younger sister Vineeta and thereafter, both
became traceless and it is suspected that Gaurav kidnapped both of
them with the help of his father and mother and might have killed them.
During investigation Gaurav Yadav confessed his guilt and stated the
name of the petitioner also regarding his involvement in the crime and
on the basis of confessional statement skull and clothes of the two girls
were recovered vide paragraph 81 of the case diary.

Submission is of false implication and that due to land dispute



going on between the mother of the petitioner and own mausi of Garuav Yadav, Gaurav has falsely implicated the petitioner, besides confessional statement of Gaurav there is nothing against him and as such the petitioner who is suffering in custody since 17.11.2016 deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that there is recovery of motorcycle from possession of the petitioner and it has come that the motorcycle recovered was used in the crime.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Dharhara P.S. Case No. 81 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

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

