

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17606 of 2017

Arising Out of PS.Case No. -11 Year- 2016 Thana -MANIGACHI District- DARBHANGA

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Arun @ Arun Yadav, Son of Kappo Yadav @ Kapileshwar Yadav,
Resident of village - Chak Chintamanipur, P.S. Manigachchi, District –
Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 21-06-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Manigacchi
P.S. Case No.11 of 2016/G.R. No.222 of 2016 registered under
Sections 302/34 of the Indian Penal Code.

The accusation is that the deceased Md. Wakil Kujra, the
husband of the informant Soni Khatoon, had taken money from
the petitioner to supply the labourer at the brick kiln. Before three
days of the occurrence, the petitioner alongwith the co-accused
Shailendra Yadav came at the door of the informant and made
query about her husband on which she replied that he had gone
outside the house before 5-6 days to search the labourers and then



they proceeded from there giving threatening. Thereafter, the petitioner alongwith the co-accused Shailendra Yadav and Rabindra Jha alias Bhulla came on the tempo and threw the dead body of the husband of the informant from the tempo at the door of the informant. When the informant reached near her husband, she found her husband dead.

Learned counsel appearing on behalf of the petitioner submits that there is no eye witness to the occurrence. In fact, the deceased, the husband of the informant, was in the habit of drinking liquor and he had also taken the money from the petitioner to supply the labourers but he neither supplied the labourers nor returned the money to the petitioner. In the meantime, the deceased, the husband of the informant, died due to drinking the liquor. Only to put undue pressure upon the petitioner so that the money could not be returned to the petitioner, the informant has lodged this false case. Further submission is that in the post-mortem examination of the dead body of the deceased, no external or internal injury was found on his person and in the F.S.L. Report, except ethyl alcohol, nothing was detected on the viscera of the dead body of the deceased, the husband of the informant. Furthermore, the similarly situated co-accused Rabindra Jha alias Bhulla has already been granted bail



by a Bench of this Court vide order dated 17.03.2016 passed in Criminal Misc. No.11949 of 2016. The petitioner having no criminal antecedent is in custody since 17.01.2017.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Darbhanga, in connection with Mangachhi P.S. Case No.11 of 2016/G.R. No.222 of 2016.

(Rajendra Kumar Mishra, J)

P.S./-

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