

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17854 of 2017

Arising Out of PS.Case No. -143 Year- 2016 Thana -RAFIGANJ District- AURANGABAD

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Bhabhichhan @ Shashikant Yadav S/o Surya Dayal Yadav, R/o village -
Salempur, P.S. Rafiganj, District - Aurangabad (Bihar).. Petitioner
Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. Md. Sufiyan

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 21-06-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Rafiganj P.S.
Case No. 143 of 2016 registered for the offences punishable under
Sections 302 and 201 of the Indian Penal Code.

Allegedly, the petitioner brought Rajesh Kumar @ Gore Lal,
the husband of the informant, on motorcycle for bringing oil for tower,
thereafter, they returned and again the petitioner called telephonically
then the husband of the informant went there at 8:00 p.m. and he did
not return. The petitioner has gone to in-laws house thereafter, it was
heard that Gore Lal has been murdered and his dead body is lying in
Fathepur Badhar in paddy field.

Submission is of false implication and that except suspicion
there is no legal and cogent material against the petitioner. During
investigation also nothing has come, no one has seen the petitioner in
the company of the deceased at the last moment, the petitioner also



used to do the work of tower and during post mortem examination his cause of death has been found due to electric burn injury, the petitioner without any fault only on suspicion is suffering in custody since 14.02.2017, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP submits that it is a case of last seen.

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, Aurangabad in connection with Rafiganj P.S. Case No. 143 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.

avin/-

(Jitendra Mohan Sharma, J)

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