

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54554 of 2017

Arising Out of PS.Case No. -82 Year- 2017 Thana -RAFIGANJ District- AURANGABAD

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1. Rajendra Yadav, Son of Late Bigan Yadav,
2. Dhanita Devi, Wife of Rajendra Yadav, Both Resident of Village- Naiki,
P.S. Rafiganj, Dist.- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-12-2017

Heard the counsels for the parties.

The petitioners seek bail in connection with Rafiganj
P.S. Case No. 82 of 2017 dated 12.05.2017 instituted for the
offences under Sections 364 and 302/34 of the Indian Penal Code.

The five year old son of the informant was killed and
thrown in a well. In the FIR, the father of the deceased has alleged
that perhaps the petitioners who are the husband and wife have
kidnapped his five year old son and after killing him, have thrown
his dead body in the well of one Ram Parvesh Yadav. The reason
for the informant to suspect such act by the petitioners is the old
land dispute.

Learned counsel for the petitioner has submitted that
apart from the petitioners being named in the FIR with the



aforesaid suspicion, there is no other material to connect the petitioners with the crime.

Learned counsel for the State, however, has submitted that the fact remains that the dead body of the deceased was thrown in the well of one Ram Parvesh Yadav who is directly related to the petitioners. This Court is afraid, that fact cannot be a ground for keeping the petitioners in custody.

The petitioners are in custody since 13.05.2017.

Regard being had to the aforesaid fact, the petitioners above named are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 82 of 2017 .

(Ashutosh Kumar, J)

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