

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10620 of 2018

Arising Out of PS.Case No. -54 Year- 2004 Thana -MURAR District- BUXAR

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1. Dhaneshwar Yadav, son of Jogdhari Yadav,
2. Shiv Mohan Yadav, son of Yadu Yadav,
3. Suresh Yadav, son of Dhaneshwar Yadav,
4. Okhari Yadav, son of Amardeo Yadav, All are Resident of Village-
Nokhpur (Amasari), Police Station- Murar, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-04-2018 Heard learned counsel for the petitioners and leaned
Additional Public Prosecutor of the State.

The petitioners are is apprehending their arrest in connection with Murar P.S. Case No. 54 of 2004 arising out of Complaint Case No. 99 (C) of 2002 302/34, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

The allegation against the F.I.R. named petitioners is of kidnapping the husband of the informant and they set on fire to hut of Marau Mushar, causing death of the husband of the informant.



Learned counsel for the petitioner submits that earlier also F.I.R. has been lodged against the petitioner and after investigation, the police submitted final form and thereafter, Complaint has been filed . It has also been submitted that after investigation, final form has been submitted but after perusal of the case record including the case diary and F.I.R., the learned Chief Judicial Magistrate has taken cognizance but there is nothing against the petitioners and they have falsely been implicated in this case.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Murar P.S.Case No. 54 of 2004, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure.

With following conditions:-

- i) One of the bailors of the petitioners shall be a



local person having sufficient immovable property within the jurisdiction of the concerned court.

- ii) The petitioners will not induce any witness or tamper with the evidence.
- iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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