

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56936 of 2018

Arising Out of PS.Case No. -33 Year- 2016 Thana -BELDOUR District- KHAGARIA

- =====
1. Dhana Yadav @ Akhilesh Kumar, S/o Late Kailash Pd. Yadav,
 2. Munnu Yadav @ Munna Yadav S/o Akhilesh Kumar Both R/o Vill.- Sharbasha, P.S.- Beldaur, District- Khagaria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Satish Chandra, Advocate.

For the Opposite Party : Mr. Ataur Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-09-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 302 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that on 14.03.2016 at 7.00 P.M., the daughter of the informant, Usha Kumari, aged about 7 years went out side for purchasing of Biscuit but she did not return. On the next day at 11.30 A.M. her dead body was recovered from the ditch of Babloo Yadav in injured condition. It is also alleged that Navin Yadav, son of the petitioner no. 1, had threatened. It is also alleged that the informant used to drive the



tractor of petitioner no. 1 and when he left the job of driving, his son began to threaten him.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners are not named in the F.I.R. The name of the petitioners has come in the present case merely on the basis of suspicion. Except for this, there is no substantive evidence to suggest the implication of the petitioners in the present case. There is no eye witness to the alleged occurrence nor there is circumstantial evidence to suggest the implication of the petitioners in the present case.

On behalf of the State, it is submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Ist Class J.M. Khagaria, in connection with Beldaur P.S. Case No. 33/2016, subject to the conditions as laid down under Section 438(2) of the



Code of Criminal Procedure.

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(Sudhir Singh, J)

