

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56987 of 2018

Arising Out of PS. Case No.-34 Year-2004 Thana- KURTHA District- Jehanabad

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1. Rajendra Yadav, S/o Lakhan Yadav,
 2. Sanjay Yadav, S/o Lakhan Yadav,
 3. Lakhan Yadav, S/o Late Subba Yadav, All R/o Vill.- Manepakar,
P.S.- Kurtha, District- Arwal.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Arun Shrivastav, Advocate.

For the Opposite Party : Mr. Arbind Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-11-2018 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 Section 304(B) and 201/34 of
the IPC.

The prosecution story, in brief, is that the marriage of
the informant's niece namely, Kusum Devi, was solemnized
with the petitioner no. 1 Rajendra Yadav and since the marriage,
the petitioners started to make demand of a Motorcycle and cash
of Rs. 50,000/- and on non-fulfilment of said demand, it is
alleged that the petitioners had killed the informant's niece
whose dead body had been disposed of surreptitiously.

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 have been made accused in the present case due to mistake of fact. From perusal of paragraph nos. 31 and 32 of the case diary, it is evident that the deceased had died due to illness. The present case has been instituted against the petitioners and their family members for oblique reason.

On behalf of the State, it is submitted that the petitioners are 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 Chief Judicial Magistrate, in connection with Kurtha P. S. Case No. 34 of 2004, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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