

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53919 of 2018

Arising Out of PS. Case No.-12 Year-2018 Thana- KOTHIGRAM District- Gaya

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Anil Yadav, Son of Late Rambilash Yadav, Resident of Village- Bageya,
P.S.- Imamganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate.

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

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Kothi P.S.
Case No.12 of 2018 registered under Sections 302 and 120(B)/34 of
the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that Gupteshwar Prasad Agrawal alias
Guptesh Sao, the husband of the informant, left the house on
02.04.2018 at about 08.00 P.M., saying the informant that he will
come very soon but he did not return. On the next morning, the
informant heard rumour that some unknown has committed the
murder of her husband by making firing at Samdaah, situated in
village-Samod. Thereafter, the informant went there and saw the
dead body of her husband, sustaining firearm injury, and his
motorcycle was also lying there. The informant raised suspicion



against one Asha Devi as she had illicit relation with her husband.

Learned counsel appearing on behalf of the petitioner submits that, in course of investigation, the police got recorded the confessional statement of Asha Devi, who confessed her guilt in hatching conspiracy in committing the murder of the husband of the informant, in which three persons including the petitioner were involved. Except that, no incriminating material has been collected by the Investigating Officer, in course of investigation, against the petitioner. The petitioner is in custody since 29.06.2018.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Sherghaty (Gaya), in connection with Kothi P.S. Case No.12 of 2018. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

(Rajendra Kumar Mishra, J)

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