

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.72644 of 2018**

Arising Out of PS. Case No.-105 Year-2018 Thana- RANIGANJ District- Araria

Rupesh Yadav @ Rupesh Kumar Yadav @ Mandal Yadav son of Late Birendra Yadav, resident of Village- Indarpur, Police Station- Raniganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

2      07-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Raniganj P.S. Case No. 105 of 2018** registered for the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

Allegation against the petitioner is of committing murder of the son of the Informant and throwing his dead body in the Culvert though he is not named in the FIR. FIR is against unknown.

It has been submitted on behalf of the petitioner that the petitioner has been implicated in this case on the basis of confessional statement of co-accused persons namely Prince Kumar @ Prince Yadav, Pawan Kumar and Pintu Kumar Chaupal. No incriminating material has been recovered from the possession of the petitioner. Similarly, situated co-accused



persons have been granted bail by co-ordinate benches of this Court vide orders dated 12.10.2018 in Criminal Miscellaneous No. 62870 of 2018 and 13.09.2018 in Criminal Miscellaneous No. 38300 of 2018, 05.10.2018 in Criminal Miscellaneous No. 52562 of 2018. Petitioner has got no criminal antecedent and is in custody since 19.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate, Araria**, in connection with **Raniganj P.S. Case No. 105 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(S. Kumar, J)**

ranjan/-

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