

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14978 of 2018

Arising Out of PS. Case No.-170 Year-2011 Thana- RAFIGANJ District- Aurangabad

Sunil Yadav S/o Late Munesh Yadav @ Muneshwar Singh, R/o Village-Khaira, P.S.- Rafiganj, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Smt. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 12-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Rafiganj P.S. Case No. 170 of 2011 registered for the offence punishable under Sections 302, 201, 34 of the Indian Penal Code.

Informant is the father of deceased, who in his written complaint has stated that on 30.09.2011 he was going to the Rafiganj Tiwari Bigha More with his son Awadesh Paswan (deceased) and daughter-in-law. When they reached near Shihuli Mosque, petitioner and others kidnapped his son after overpowering them on strength of pistol and took away his son with them and when he protested he and his daughter-in-law



were assaulted and they abducted his son for killing. It has been further stated that Rafiganj police had conducted a raid in the house of father in law of deceased son at about 10.00 PM but nothing could be recovered from his house and he had a talk with his son from said place of raid conducted by police and when nothing was found in the house of in laws Ranvijay Yadav ordered Sunil Yadav to murder Awadhesh Paswan and he was assaulted by lathi and knife and killed. During investigation it has come that deceased was a notorious criminal of the area and he had snatched the motorcycle of petitioner on the gun point and there was many other criminal cases also instituted against him and when he reached the Mela on 30.09.2011 he was identified and thrashed by the mob and he died there. There is a consistent statement of witnesses who were present in Mela that the deceased was caught and thrashed by the people including petitioner and as a result of which he died. It has been further submitted that petitioner has no criminal antecedent, except the present one whereas the deceased was a history-sheeter. Petitioner is in custody since 20.11.2017

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Aurangabad, in connection with Rafiganj P.S. Case No. 170 of 2011.

(S. Kumar, J)

veena/-

U		T	
---	--	---	--

