

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64790 of 2018

Arising Out of PS.Case No. -92 Year- 2018 Thana -RAFIGANJ District- AURANGABAD

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1. Sudhir Kumar, S/o Late Jay Ram Yadav,
2. Arvind Kumar, S/o Jay Prakash Yadav, Both resident of Village- Ramdih
Motha, P.S.- Goh, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kiran Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 29-10-2018 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The Petitioners seek regular bail in connection with
Rafiganj, P.S. Case No. 92 of 2018, registered for the offences
punishable under Sections 302, 201/34 of Indian Penal Code.

Allegation against the petitioners as per F.I.R. is the
headless dead body of an unknown lady was found in the field of
late Dharmdeo Yadav.

Submission of the learned counsel for the petitioners
is that the petitioners are not named in the F.I.R. rather the name
of petitioner No. 2 transpires only on the confessional statement of
the co-accused, namely Sudhir Kumar and the name of the
petitioner No.1, apprehended merely on the basis of suspicion by
the police. It is further submitted that similarly situated co-accused
persons have been granted regular bail by a Co-ordinate Bench of



this Court on different dates i.e. on 20.09.2018 passed in Cr. Misc. No. 55261 of 2018 and order dated 05.10.2018 passed in Cr. Misc. No. 51841 of 2018 and they have no criminal antecedents and they are in custody since 07.06.2018 and charge sheet has already been submitted against the petitioners.

Heard learned A.P.P. who opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Rafigang, P.S. Case No. 92 of 2018, subject to the following conditions:-

- i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- ii) The petitioners will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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