

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34454 of 2018

Arising Out of PS.Case No. -94 Year- 2017 Thana -BELAGANJ District- GAYA

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Jai Ram Yadav, S/o Late Chamari Yadav, Resident of Village- Wajitpur
Tola Dhandhaur Bigha, P.S.- Belaganj, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 02-07-2018 Heard both sides.

The petitioner apprehends his arrest in Belaganj P.S.
Case No. 94/2017, registered for the offences punishable under
Section 302, 201, 120(B) and 34 of the Indian Penal Code.

The informant alleged that his son went outside his
house to attend the call of nature, but his son did not return. The
wife of the informant made search and the dead body of his son
was found in a ditch situated near a brick kiln. The informant
suspected that petitioner Jai Ram Yadav and Ravindra Yadav @
Bholi Yadav and other accused persons killed his son in pursuance
of a conspiracy hatched up by other accused persons.

Learned counsel for the petitioner submits that petitioner
is co-sharer of the informant. On account of land dispute, the
petitioner has falsely been implicated in the case. There is no eye
witness of the occurrence. The son of the informant died due to



drowning. The post-mortem report shows that the deceased did not have any external injury. The deceased died due to asphyxia, as a result of drowning. Similarly situated co-accused Rabindra Kumar @ Bholi Yadav has already been enlarged on anticipatory bail vide order passed in Cr. Misc. 15055/2018 by a coordinate bench of this Court.

Considering the facts aforesaid and the fact that the informant does not appear to be an eye-witness of the occurrence, after the recovery of dead-body of his son from a ditch, the informant lodged this case raising suspicion against the petitioner and other accused persons and similarly situated co-accused Rabindra Kumar @ Bholi Yadav has already been enlarged on bail, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Gaya in connection with Belaganj P.S. Case No. 94/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J)

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