

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52376 of 2018

Arising Out of PS.Case No. -330 Year- 2018 Thana -NAWADA District- NAWADA

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1. Rajesh Yadav, S/o Shukhdeo Yadav, Resident of Village- Jamuawan,
P.S.- Nawada (Kadirganj), District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 302, 201 and 120(B) of the Indian Penal Code.

The prosecution case, in brief, is that the petitioner along
with other accused persons took the husband of the informant
towards the field and next day, the dead body of husband of the
informant was found wrapped with sand in Sakri river.

It has been submitted on behalf of the petitioner that there is
no allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been made accused in this case due
to mistake of fact. It is a case of last seen. Except for this, there is
no other substantial evidence to suggest the implication of the



petitioner in the present case. There is no circumstantial evidence also to suggest the implication of the petitioner. There is no eye witness of the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada (Kadirganj) P.S. Case No. 330 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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