

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75564 of 2018

Arising Out of PS. Case No.-384 Year-2017 Thana- KHAIRA District- Jamui

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JHAMAN YADAV @ JHUMAN YADAV, Son of Degan Yadav, Resident of
Village-Gadi Bishanpur P.S. Khaira, Distt.-Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Adv.

For the Opposite Party/s : Smt. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 19-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
15.07.2018 in a case registered for the offence punishable
under Sections 302 and 201 of the Indian Penal Code.

The prosecution case got initiated on the basis of
written report submitted by Sitaram to the Station House
Officer, Khaira Police Station is to the effect that on
30.11.2017, the petitioner came to the house of the informant
and took Devendra with him, but when Devendra did not
return till the evening, then on enquiry, the petitioner conveyed



the informant that he will return by night, but he did not return. Next morning, his dead body was recovered with cut injuries.

It is submitted by learned counsel for the petitioner that there is no eye witness to the occurrence. In fact, only on the basis of the suspicion, the petitioner's name has been dragged in the present case. It is further submitted that subsequently, the informant has retracted from the initial version of petitioner being last seen with the victim. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State after going through the case diary submits that except the statement of the informant that the victim was last seen with the petitioner, no material has been collected against the petitioner during investigation. Moreover, the informant has retracted from the initial version levelled in the FIR against the petitioner.

Considering the fact that the accusation is based on circumstantial evidence, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned CJM, Jamui in connection with Khaira
P.S. Case No.384 of 2017.

(Dinesh Kumar Singh, J)

Ashwini/-

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