

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75214 of 2018

Arising Out of PS. Case No.-106 Year-2018 Thana- KAUWAKOL District-
Nawada

- =====
1. Ramesh Yadav Son of Sitaram Yadav,
 2. Yadu Kumar Yadav, Son of Sitaram Yadav, Both resident of Village-
Thansidih, Police Station- Loknayanpur, District- Giridih Jharkhand.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioners : Mr. Sanjeev Ranjan, Advocate.

For the Opposite Party: APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 08-02-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 302/34 of the Indian Penal Code registered in
connection with Kawakole P.S. Case No. 106 of 2018.

3. It is submitted that the petitioners have been falsely
implicated on mere suspicion merely because they happen to be the
respective husband of the two ladies with whom the deceased is
alleged to have gone in the morning on 17.05.2018 for picking tendu
leaf. The F.I.R. has been instituted on 18.05.2018 after the body of the
deceased was discovered. The accusations are not corroborated by the
post mortem dated 18.05.2018 which disclose that the time elapses
since death was 72 to 96 hours. The petitioners claim clean
antecedents.

4. Learned APP has not pointed out any objective material
from the case against the petitioners.

5. Be that as it may, having regard to the entirety of the
facts and circumstances of the case, in the event of the petitioners'
arrest or surrender before the court below within six weeks from the



date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Nawada in connection with Kowakole P.S. Case No. 106 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein. .

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

lbrar//-

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

