

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22313 of 2020

Arising Out of PS. Case No.-87 Year-2019 Thana- TANKUPPA District- Gaya

RAKESH KUMAR @ RAKESH YADAV Son of Dindayal Yadav Resident of
Village - Gewalbiga, P.S.- Rampur, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashid Izhar

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 04-09-2020

Heard learned counsel for the parties.

This application for regular bail arises out of Tankuppa P.S. Case No. 87 of 2019, disclosing offence punishable under Sections 302, 201, 34 of the Indian Penal Code.

It is the case of the prosecution that the informant's son was taken by the named accused persons including this petitioner on 21.08.2019, who did not return thereafter. Next day, the dead body of the deceased was recovered.

Learned counsel appearing on behalf of the petitioner has submitted that he has been implicated only with the allegation of him having been last seen with the victim. He has submitted that there is no other material to substantiate



involvement of this petitioner in the death of the deceased and thereby justify his implication. He has further submitted that other co-accused persons have been allowed regular bail by orders dated 03.06.2020, passed in Cr. Misc. No. 9012 of 2020, 04.02.2020, passed in Cr. Misc. No. 2549 of 2020 and 20.02.2020, passed in Cr. Misc. No. 8209 of 2020, copies of the said orders have been brought on record by way of Annexures.

Considering the submissions that in identical situation some of other co-accused persons have been allowed regular bail, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Gaya, in Tankuppa P.S. Case No. 87 of 2019.

It is directed that defects in the application pointed out by the Registry must be removed within two months from today.

Since there is a lockdown, the Court has considered it appropriate to adopt following procedure for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be



communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social-distancing.

(Chakradhari Sharan Singh, J)

Rajesh/-

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