

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27756 of 2020

Arising Out of PS. Case No.-616 Year-2018 Thana- SHERGHATI District- Gaya

1. Vijay Yadav
2. Ramjee Yadav
Both Son of Late Umesh Yadav Resident of Village- Masaudha, Police Station- Barachatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 06-01-2021 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioner has filed the instant application for regular bail in connection with Sherghati (Dobhi) P.S. Case No.616 of 2018 registered for the offence punishable under sections 302, 201 and 34 of the Indian Penal Code.

As per allegation in the FIR, the son of the informant who started from his house did not return home by night. Subsequently, two days later his dead body was discovered in the agricultural field. It is stated by the informant that his two nephews who are the petitioners herein had land dispute with them and even on earlier occasion they had attempted to kidnap his son. It is they who have kidnapped and murdered his son.

It is submitted by learned counsel for the petitioners that



the allegations as levelled in the FIR are false and concocted. There is no eye witness to the occurrence, and unfounded suspicion has been raised by the informant in the FIR. The petitioners have been falsely implicated for the reason of pending land dispute between the parties. The petitioners are in custody since 11-11-2019 and have no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties, and taking into consideration the facts and circumstances of the case including there being no eye witness to the occurrence and the petitioners being in custody since 11-11-2019, this Court is inclined to enlarge the petitioners on bail. Let the petitioners, above named, be enlarged on bail in connection with Sherghati (Dobhi) P.S. Case No.616 of 2018 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya.

(Partha Sarthy, J)

Prakash Narayan /-

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