

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48858 of 2021**

Arising Out of PS. Case No.-76 Year-2015 Thana- RAFIGANJ District- Aurangabad

Jairam Yadav S/O Ragho Yadav @ Raghu Yadav R/o village- Tolpura, P.S.-
Bandeya, District- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Kumar

For the Opposite Party/s : Mr.Atul Chandra

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 23-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Rafiganj P.S. Case No. 76 of 2015, registered for the offence under Section 302/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 17 of C.L.A. Act.

As per the prosecution case, on 12.05.2015, an information was received that a dead-body was lying on the road and the deceased was shot dead. In order to verify the said fact, the informant went there and saw the dead-body with several injuries, but nobody identified the dead-body. On enquiry from local people, the informant came to know that the deceased was murdered by the *Maowadi* people and on the basis of such information, the F.I.R. was lodged against petitioner and other co-accused persons.



It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. There is no eye-witness of the occurrence and no one has seen the actual occurrence and only on the basis of hearsay that some *Maowadi* was coming towards the village, petitioner has been made accused. Petitioner is in custody since 20.04.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation and the materials collected during course of investigation, the bail petition of petitioner is allowed. 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 Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 76 of 2015.

(Prabhat Kumar Singh, J.)

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