

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10306 of 2022

Arising Out of PS. Case No.-190 Year-2020 Thana- JALE District- Darbhanga

1. MAKOON YADAV @ MAKUN YADAV Son of Late Banke Yadav @ Late Bauku Yadav Resident of Village Narauchh Police Station - Jalley, District - Darbhanga.
2. DHIRENDRA YADAV @ DEVI LAL YADAV Son of Makoon Yadav @ Makun Yadav Resident of Village Narauchh Police Station - Jalley, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-04-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in Jalley P.S. Case No. 190 of 2020 initially registered under Sections 363 & 365 of the Indian Penal Code and later on, Section-302 of the Indian Penal Code was also added.

Prosecution case in short is that since the wee hours of 10-11-2020, the informant's brother Parmanand Jha was missing, for which, hectic search was made and in course of



search, it was told to the informant that the victim was seen along with the petitioner No. 2 Dhirendra Yadav. In course of investigation, the dead body of informant's missing brother was found in a pond.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. The petitioners are not named in the FIR. The names of the petitioners have transpired in this case in course of investigation merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioners in the present case.

On behalf of the State, it is submitted that the petitioners are not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Darbhanga in



connection with Jalley P.S. Case No. 190 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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