

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.56847 of 2015**

Arising Out of PS.Case No. -413 Year- 2015 Thana -WAJIRGANJ District- GAYA

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Dina Yadav S/o Sri Jagdish Yadav

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

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

2 16-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code.

The prosecution case is that on a telephonic call the husband of the informant went to Vindus on 27.09.2015 at 7 PM in the evening when the husband of the informant called the informant and conveyed that he is settling the account with the petitioner and co-accused Umesh Yadav and Satyendra Yadav. At about 10 PM when the informant called her husband then he did not pick up phone. Next day, in the morning, the villagers found the dead body of the husband of the informant on the road.

It is submitted by learned counsel for the petitioner

that only on the basis of suspicion, the accusation has been levelled. Two circumstantial evidences have been collected by the investigating agency as gets reflected from the impugned order of the learned Sessions Judge i.e. the petitioner and others were found in the company of the informant's husband when the informant last talked with the victim and there was some inimical relationship between the petitioner and the husband of the informant. The postmortem report suggests that the victim died due to a road accident. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the circumstantial nature of accusation, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of `10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Gaya in connection with Wazirganj P.S. Case No. 413 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

**(Dinesh Kumar Singh, J)**

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