

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33170 of 2015

Arising Out of PS.Case No. -196 Year- 2014 Thana -MURLIGANJ District- MADHEPURA

1. Sanjay Yadav Son of Sri Jitan Yadav Resident of village - Belo Kala
Piprahi, Police Station - Murliganj, District - Madhepura (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Gajendra Prasad Yadav (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 18-08-2015

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is named in the first information report on
the accusation that he gave Khanti blow on the head of the
deceased, as a result of which, deceased became injured and
subsequently, he died in course of his treatment.

The contention on behalf of the petitioner is that
there was free fight between the parties on account of land dispute
and persons, from both sides sustained injury but unfortunately,
deceased of the present case died in course of his treatment after
two days of the alleged occurrence.

Learned counsel for the petitioner drew my
attention towards paragraph-10 of the petition and submits that not

only petitioner but two other family members of the petitioner also sustained injury in the alleged occurrence. He also drew my attention towards Annexure-3 to this petition and submitted that brother of the petitioner sustained grievous injury on his head. It is further contended by him that even if, prosecution story assumed to be true, then also, at best it is a case of Section-304 of the Indian Penal Code.

Considering the aforesaid facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Murliganj P.S. Case No. 196 of 2014 corresponding to Sessions Trial No. 37 of 2015 to the satisfaction of Learned Additional Sessions Judge-II, Madhepura.

(Hemant Kumar Srivastava, J)

A.K.V./-

U		T	
---	--	---	--