

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41468 of 2015

Arising Out of PS.Case No. -181 Year- 2014 Thana -SINGHIYA District- SAMASTIPUR

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1. Ganeshi Yadav Son of Late Panchi Yadav, Resident of village- Lada,
Police Station- Singhia, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s Mr. P.Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

05/ 17.12.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

According to the prosecution case itself, a quarrel took place
between the parties and, altogether, 13 persons including the petitioner
assaulted the informant and several others. In course of treatment, one
Mahesh Yadav died. There is allegation that the petitioner assaulted
the deceased by means of iron rod whereas co-accused Umesh Yadav
assaulted the deceased by means of **farsa**.

Learned counsel for the petitioner submits that after death of
the deceased, his mother made statement before the police and in the
aforesaid statement, she stated that deceased was assaulted by all
accused but she mentioned specific names of two persons who are
accused Umesh Yadav and Ranjit Yadav. Learned counsel for the
petitioner further points out that co-accused Umesh Yadav has already
been granted privilege of bail by the court below itself and similarly,

several others accused have also been released on bail.

Post mortem report of the deceased shows that one injury was found on his head and cause of death of the deceased appears to be his head injury but it is not clear who was author of the aforesaid injury and, therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, Rosera, Samastipur in Singhia P.S. Case no. 181/2014.

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(Hemant Kumar Srivastava,J)

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