

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40356 of 2015

Arising out of PS.Case No. -18 Year- 2015 Thana -JAGDIHSPUR District- BHOJPUR

Sanjay Yadav, Son of Kesho Yadav, resident of Village - Babhaniyaon,
P.S. - Jagdishpur, District - Bhojpur at Ara (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate.

For the Opposite Party : Mr. Ahmad Ali(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-10-2015 Heard learned counsels for the petitioner, informant and
learned counsel for the State

The petitioner is languishing in custody since 28.05.2015
in connection with Jagdishpur P.S. Case No. 18 of 2015 for the
offences instituted under Section 302/34 of the IPC.

The prosecution story, in brief, is that on the alleged date
and time of occurrence, the informant's elder son, namely, Bablu
Kumar moved to his *Darwaja* from his house after taking meal but
in the meantime, he came back fastly and fell down at the yard of
the house and started moaning and became unconscious in latter
stage. One injury on his left chest was sustained and blood was
also oozing and he died in later stage.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. The petitioner is in custody since 28.05.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner is not named in the FIR. There is no eye witness to the occurrence. Merely on suspicion, the name of the petitioner has appeared in the present case.

On behalf of the learned counsels for the informant and the State it has been submitted that the name of the petitioner has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned C.J.M., Bhojpur at Ara, in connection with Jagdishpur P.S. Case No. 18/2015.

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(Sudhir Singh, J)