

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3363 of 2015**

Arising Out of PS.Case No. -35 Year- 2014 Thana -BITHAN BAZAR District- SAMASTIPUR

- =====
1. Ram Shankar Yadav
  2. Lakshmi Yadav Both sons of Late Jhabar Yadav
  3. Indu Devi Wife of Late Jhabar Yadav
  4. Sunita Devi Wife of Ram Shankar Yadav
  5. Chunchun Devi Wife of Lakshmi Yadav All resident of Village - Pusho,  
P.S. - Bithan, District - Samastipur.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Krishna Prasad Singh  
For the Opposite Party/s : Mr. Ramesh Chandra (App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
ORAL ORDER

5      22-06-2015      Heard learned counsel for the petitioners as well as  
  
learned Additional Public Prosecutor for the State and learned  
  
counsel for the informant.

Petitioners apprehend their arrest in connection with  
  
Bithan Police Station Case No. 35 of 2014 registered for the  
  
offences punishable under Sections 341, 323, 324, 504, 379 and  
  
302/34 of the Indian Penal Code.

Petitioners are said to have given Fersa blow to the  
  
deceased, who was examined by the doctor just after the alleged  
  
occurrence and the concerned doctor found altogether four injuries  
  
on the person of deceased but all the injuries were found simple in

nature said to be caused by hard and blunt substance except one injury which is said to have been caused by sharp cutting weapon.

Admittedly, after 18 days of the alleged occurrence deceased died in course of his treatment but the post mortem report of deceased reveals that cause of death of deceased was due to lungs and liver pathology leading to cardiorespiratory failure.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner no. 1, Ram Shankar Yadav and petitionr no. 2, Lakshmi Yadav, in the event of their arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- ( ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Rosera in Bithan Police Station Case No. 35 of 2014 , subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Hemant Kumar Srivastava, J)**

Namita/-

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