

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38189 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -NARPATGANJ District- ARRARIA

1. Pancham Yadav son of late Chedi Yadav @ Chedi Lal Yadav, resident of village- Mirdoul, Police Station- Narpatganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Pushpa Sinha (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 08-09-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner happens to be full brother of deceased and it is stated that he along with other accused, assaulted the deceased with lathi and spade, as a result of which, deceased died in course of his treatment.

Originally, the present case was registered under bailable sections but subsequently, Section-302 of the Indian Penal Code was added after death of the deceased.

Photostat copy of postmortem report of deceased (Annexure-3 to the petition) reveals that only one injury was found on the head of deceased.

Learned counsel for the petitioner submits that on the

date of occurrence, the deceased committed murder of co-accused, Sheonandan Yadav for which, wife of Sheonandan Yadav lodged Narpatganj P.S. Case No. 41 of 2015 against the deceased of the present case and moreover, the alleged occurrence took place on account of land dispute.

Considering the aforesaid facts and circumstances of the case, 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 Narpatganj P.S. Case No. 39 of 2015 to the satisfaction of J.M.-Ist Class, Araria.

(Hemant Kumar Srivastava, J)

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