

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30763 of 2015

Arising Out of PS.Case No. -255 Year- 2014 Thana -NARPATGANJ District- ARRARIA

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Mahadeo Yadav Son of Late Umedha Lal Yadav Resident of village -
Barhara, P.S. Narpatganj, District - Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party : Mrs. Ansuaiya Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-08-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The informant wife of the deceased alleged that her husband and other relatives went to the field of her sister-in-law where the petitioner Mahadeo Yadav and Mahanand Yadav and others were transplanting paddy crops. Mahanand Yadav is alleged to have assaulted Pradip Yadav the husband of the informant with Pharsa on his head. Mahadeo Yadav is alleged to have assaulted the deceased Pradip Yadav with sword which hit on his elbow. Ram Prasad Yadav assaulted the husband Pradip Yadav with spear in his abdomen and Pradip Yadav fell down and

died. Rajesh Yadav is also alleged to have been assaulted by Fanilal Yadav, Durganand Yadav, the elder brother of the deceased was also assaulted.

It is submitted that the petitioner is alleged to have assaulted the deceased Pradip Yadav with sword which hit on elbow. The post-mortem report shows that Pradip Yadav got as many as four injuries one on head, second on elbow, third on abdomen and fourth on left arm. The injury found on the head is opined to be fatal and caused death of Pradip Yadav. The petitioner is in jail since 11.07.2014. The petitioner has already remained in jail for more than one year.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged 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 Chief Judicial Magistrate, Araria in Narpatganj P.S. Case No. 255 of 2014.

(Prabhat Kumar Jha, J.)

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