

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41637 of 2014

Arising Out of PS.Case No. -427 Year- 2013 Thana -Bahera
District- Darbhanga

=====

1. Ram Chandra Yadav Son of Late Kushe Yadav
2. Mahendra Yadav, son of Sri Ram Chandra Yadav,
Both resident of village - Katwasa, P.S. - Bahera, District –
Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2. 10-04-2015 The two petitioners apprehend their arrest in
relation to Bahera P.S. Case No. 427/2013 instituted
under Sections 302, 379/34 of the Indian Penal Code.

Heard learned counsel for the informant as
well as learned counsel for the petitioners.

The attention of this Court is drawn to the
fact that incident took place on 17.10.2013, the victim
was brought to the hospital (D.M.C.H.) and during course
of treatment died on 21.10.2013. The statement of the
informant being son of the deceased was then recorded in
the afternoon of next day and then forwarded to register
First Information Report. The allegation is that the
deceased was assaulted and money stolen from his
pocket. Learned counsel for the petitioners points out that
the inordinate delay in lodging the First Information
Report.

On the other hand, learned counsel for the
informant submits that, in fact, the deceased had made

statement that was sent to the police station at Bahera from D.M.C.H., but it does not form part of the First Information Report. He also produced uncertified photocopy of the said statement of the deceased, from that, it appears that statement of the deceased, if any, being recorded on 19.10.2013, whereas as per prosecution case, the deceased was being treated at D.M.C.H. since 17.10.2013 without information to the police.

Be that as it may, in the event of their arrest/surrender before the court below within four weeks, let the above-named petitioners namely, Ram Chandra Yadav and Mahendra Yadav, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Benipur, District - Darbhanga, in connection with Bahera P.S. Case No. 427/2013, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Rajeev/-

(Navaniti Prasad Singh, J.)

U		T	
---	--	---	--