

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 15220 of 2016

Arising out of P.S. Case No. -207 Year- 2015 Thana -DULHIN
BAZAR District- PATNA

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Madan Prasad @ Madan Yadav S/o Ram Vilash Yadav
resident of Village - Dharampur Kharwa (Warihak), P.S. -
Dulhin Bazar, District - Patna. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s: Mr. Shyam Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

07. 18.07.2016

Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner is languishing in custody since
21.12.2015 in connection with Dulhin Bazar P.S. Case
No. 207 of 2015 pending in the Court of Judicial
Magistrate, 1st Class, Danapur, Patna for the offences
instituted under Section 364/34 of the Indian Penal
Code.

The prosecution story, in brief, is that when the
son of the informant went for working as driver of Highwa
Truck for Mother India Construction Company he did not
return home, thereafter, he enquired and knew that the
alleged truck met with an accident which caused death to
one of the villagers due to which the accused persons and
several other agitators put the truck on fire and abducted
the son of the informant with intent to kill him.

It has been submitted that the petitioner is in
custody since 21.12.2015. Charge-sheet has been

submitted in the case. The petitioner has got no criminal antecedents. There is no allegation of tampering of evidence against the petitioner. The deceased happened to be the driver of the truck which had met with an accident causing death to one of the villagers. In retaliation, the villagers abducted the deceased who was the driver of the truck thereafter due to assault made by the mob the driver succumbed to the injury. No specific allegation has been made against the petitioner except that the body of the deceased was taken to the house of this petitioner after the death.

On behalf of the State, it has been submitted that the petitioner is not named in the FIR. His name has come on the basis of the confessional statement of the co-accused.

Considering the aforesaid facts and circumstances of the case, 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 Sri Shyamal Kumar, Judicial Magistrate, 1st Class, Danapur, Patna or his successor in connection with Dulhin Bazar P.S. Case No. 207 of 2015.

(Sudhir Singh, J.)

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