

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17458 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -THARTHARI District- NALANDA
(BIHARSHARIFF)

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Umesh Yadav S/o Siri Yadav, Resident of village- Siwanpur, P.S.- Noor Sarai, District- Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar No.1, Advocate
For the Opposite Party : Mr. Jitendra Kumar Roy 1, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is in custody since 07.12.2015 in connection
with **Tharthari P.S.Case No.55 of 2015** registered for the offence
under Sections 302 and 201/34 of the IPC.

As per the prosecution case, it is alleging therein that his
son Mirtunjay Kumar aged about 14 years went to village-
Chindura for taking tuition at 7.00 A.M. when he did not return at
12.00 hours then searching the body and during course of search it
came to know that the child has cut by POKLANE near village-
Chhoti Chharyari and the informant went to the place of
occurrence and found the piece of dead body of his son lying.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 07.12. 2015. The petitioner has got no criminal antecedent. After investigation, the police has submitted charge sheet under Section 304(A)/34 of the IPC but the learned court below deferred with the police report and has taken cognizance under section 302 and other allied Sections of the IPC. No overt-act is alleged against the petitioner. From perusal of the case diary, it is evident that it is a case of accident.

On behalf of the State, it has been submitted that the petitioner is not named in the FIR.

Considering the aforesaid facts and circumstances, let the above named petitioner 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 **ACJM, Hilsa, Nalanda** in connection with **Tharthari P.S.Case No.55 of 2015**.

(Sudhir Singh, J)

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