

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3852 of 2016

Arising Out of PS.Case No. -56 Year- 2015 Thana -KURTHA District- JEHANABAD

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Bigan Yadav @ Awadhesh Yadav, S/o Late Ram Charitar Yadav, Resident
of Village -Kaitha Lodipur, P.S. - Kurtha (Manikpur OP), District - Arwal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Tiwary, Advocate

For the Opposite Party/s : Mr. Subash Chandra Mishra(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 09-02-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 10.5.2015 in
connection with Kurtha (Manikpur) P.S. Case No.56 of 2015
registered for the offences under Sections 341, 323, 324, 326
and 302 of the Indian Penal Code.

Learned counsel for the petitioner submits that even if
the allegation made against the petitioner is squarely basing the
act of violence against the present petitioner in which he
assaulted the wife of the informant on the head, as a result of
which she fell in the drainage and died, it was only on account
of the land dispute that an altercation had taken place on the
spur of moment. It is further submitted that the deceased was

weak having suffered from several ailments and there is no repetition of blow. It is further submitted that at best it can be a case under Section 304A of the I.P.C.

Considering the aforementioned facts and circumstances, the period of custody and also that the petitioner has clean antecedents, let the petitioner, above named, be released on bail on his 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, Jehanabad, in connection with Kurtha (Manikpur) P.S. Case No.56 of 2015.

(Anjana Mishra, J)

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