

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3298 of 2017

Arising Out of PS.Case No. -144 Year- 2016 Thana -BRAHMPUR District- BUXAR

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1. Munna Yadav, son of Sri Dinanath Ram Yadav, resident of Village-
Ramgarh Dera, P.S.- Brahmpur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Fahad Khurshid

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 27-02-2017 Supplementary affidavit is filed on behalf of the

petitioner annexing postmortem report of the deceased. Let it be

kept on record.

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

Petitioner seeks bail in connection with Brahampur
P.S. Case No. 144 of 2016 registered for the offences punishable
under Sections-341, 323, 324, 304, 302/34 of the Indian Penal
Code.

Allegation against the petitioner is that he caught
husband of the informant and started assaulting and after getting
him down, started pressing his neck and in the meantime, Ramjee
@ Chhotan Yadav started giving knife blow and the co-accused



Heera Devi gave order to kill him and then, Ramjee @ Chhotan Yadav gave repeated knife blow on chest, neck and other parts of the body causing his instant death.

Submission is of false implication and that no corresponding injury has been found on the person of the deceased regarding pressing of neck. All the three injuries are caused by sharp edged weapon and for that, the petitioner is not responsible. The petitioner is suffering in custody since 19-07-2016 and now by remaining in custody, he has been sufficiently penalized.

The learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that the petitioner is not the assailant and as such, the petitioner named above, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Brahampur P.S. Case No. 144 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Buxar.

(Jitendra Mohan Sharma, J)

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