

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16521 of 2017

Arising Out of PS.Case No. -262 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

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Vijay Yadav S/o Sidheshwar Yadav, Resident of Village-Indo, P.S.-
Bhagwanganj, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar Sinha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 20-06-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under section 302/34 of the I.P.C

Allegedly, the petitioner, other co-accused along with
20 unknown persons armed with iron rod and rifle entered into the
house of the informant, started assaulting the informant, his
mother and his father resulting mother of the informant received
serious injury by iron rod and butt of the rifle and later on she died
in the emergency ward of Sadar Hospital, Jehanabad. The cause of
occurrence is said to be the quarrel between the mother-in-law and
his daughter-in-law for registration of land in her favour.

Submission is of false implication and that the



deceased was an old and infirm lady and she died natural death, due to previous enmity with the wife of the informant he implicated the petitioner who is brother of wife of the informant and as such the petitioner deserves sympathetic consideration as he is suffering in custody since 02.12.2016, there is no specific allegation against him and the allegations are omnibus and general in nature.

The learned A.P.P. opposes prayer for bail of the petitioner by submitting that in the postmortem report corresponding injuries have been found and the cause of death is hemorrhage and shock due to the above injury.

In the facts and circumstances as stated above, considering that the petitioner is brother of wife of the informant, there is no specific allegation against him, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to 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 C.J.M. Jehanabad in Makhdumpur (Tehata) P.S. Case No. 262 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court



concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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