

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40582 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -PAWNA District- BHOJPUR

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1. Yogeshwar Yadav @ Yugeshwar Yadav S/o Late Subhdeyal Yadav,
Resident of Village-Khopira, P.S.-Pawna, District-Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar
For the Opposite Party/s : Mr. Ajit Kumar
For the informant : Mr. Prashant Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-09-2017 The petitioner seeks regular bail in connection with

Pawna P.S. Case No. 13 of 2017, registered for offences

punishable under Sections 147, 148, 149, 323, 337, 379 and 302 of

the Indian Penal Code.

Allegation against the petitioner and other accused
persons is of assault to the deceased causing his death.

It has been submitted on behalf of the petitioner that
though it has been alleged that petitioner assaulted the deceased by
means of lathi, however, there is allegation against five other
accused persons is of assault but post mortem report shows only
one injury on the persons of the deceased. Further petitioner has
been in custody for last five months.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case this application is disposed of with direction to the court below to examine the post mortem report and ascertain the exact cause of death and further to examine the injury caused to the deceased by the assault made by the petitioner and if it is found that the death was not caused due to assault by the petitioner, he shall release the petitioner on bail to his own satisfaction, otherwise he is free to pass any order as he deems fit and proper.

(Vinod Kumar Sinha, J)

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