

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33551 of 2017

Arising Out of PS.Case No. -218 Year- 2016 Thana -RAJAULI District- NAWADA

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Baudhu Yadav Son of Late Etwari Yadav Resident of Village : - Amawan,
P.S. : - Rajauli, District : - Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 11-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Rajauli P.S.
Case No. 218 of 2016 for offences punishable under Sections
302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that the petitioner along with other accused persons entered his
house and started assaulting his pregnant wife Mina Devi with
legs as a result she fell unconscious and during course of treatment
she died.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and there was a land dispute between both the parties who are neighbours and agnates and that the informant is not eye witness to the alleged occurrence but the daughter of the deceased who had seen the occurrence has stated that it was a fighting between the ladies who assaulted the deceased which has been supported by the independent witness also as is evident from the case diary. He submits that he was not present at the time of occurrence and because both were inimical terms, he has been made accused. He submits that inquest report specifies not external injury which has been supported in the post mortem report.

However, learned APP for the State opposes the prayer for bail stating therein that it was a dual murder as alleged against the petitioner and other co-accused.

Considering the facts and circumstances and the materials on record as well as perusal of the case diary, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No. 218 of 2016 subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable



property within the jurisdiction of the concerned police station/
court, who will file an affidavit stating his relationship with the
petitioner.

(Nilu Agrawal, J)

Devendra/-

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