

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61546 of 2018

Arising Out of PS. Case No.-262 Year-2018 Thana- KORHA District- Katihar

Sanjay Yadav, S/o Late Brahmdeo Yadav, Resident of Village- Marwa
Mirjapur Yadav Tola, P.S.- Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-10-2018

Heard both sides.

Petitioner seeks bail in Korha P.S. Case No.262 of 2018, registered under Sections 302/34 of the Indian Penal Code.

The informant named the petitioner along with Arun Yadav, Arvind Yadav, Vikash Yadav and Punit Yadav and alleged that they were assaulting his wife. During the course of assault, Arvind Yadav threw bricks which hit on the head and back portion of neck of his wife and his wife fell down becoming unconscious.

The learned counsel for the petitioner submits that the first occurrence took place on 13.07.2018. The wife of the informant died on 15.07.2018. Thereafter the informant lodged the case. No specific allegation of assault is made against the



petitioner. From the perusal of the postmortem report, it would appear that there is only one injury that is on back of lower neck which is attributed to Arvind Yadav. Similarly situated co-accused, namely, Arun Kumar Yadav and others have been granted anticipatory bail vide order dated 17.09.2018, passed in Cr. Misc. No.55811 of 2018.

Taking into consideration the facts that the petitioner is of course alleged to have assaulted the wife of the informant along with other co-accused persons but only one injury was found on the dead body of the deceased, the wife of the informant, which is attributed to Arvind Yadav and similarly situated accused persons have been granted anticipatory bail, petitioner, above named, is directed to 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 the learned CJM, Katihar in connection with Korha P.S. Case No.262 of 2018.

(Prabhat Kumar Jha, J)

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