

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70007 of 2018

Arising Out of PS. Case No.-108 Year-2014 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

Sanjay Yadav @ Kanoushi, Son of Bhola Yadav, Resident of Mohalla-
Khatkachak, Maranpur, P.S.- Vishnupad, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-12-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Magadh Medical College
& Hospital P.S. Case No. 108/2014, instituted for offences under
Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
there is general and omnibus allegation against this petitioner.

It is alleged in the written report that informant used
to cultivate the land of Ramdeo Yadav and Mahanth of Raghwa
Acharya on Batai where there is one room and boring machine.
It is alleged that on 01.08.2014 all the named accused persons
including the petitioner arrived with buffalo. The informant and
his son made protest then all accused persons assaulted them



with fists and slaps. It is further alleged that on 05.06.2014 at about 10 P.M. accused persons including the petitioner armed with weapon came at the Darwaja of informant. The informant fled away out of fear and hide himself in bush. He saw that the accused persons took away his son towards eastern side. The informant thought that they will free his son after assault and return back to house and informed others about the incident. It is alleged that till morning his son did not return. The informant started searching his son and found his dead body lying on Parti land of Ramdeo Yadav. The informant claimed that all the named accused persons including the petitioner have killed his son.

In this manner, mere suspicion has been raised against this petitioner.

From the written report, it appears that the informant is not eye-witness to the occurrence.

Other accused persons have already been granted bail by Co-ordinate Benches of this Court in Cr. Misc. Nos. 50821/2014 dated 02.04.2015, 32764/2015 dated 09.11.2015

Petitioner is in custody since 21.07.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the



petitioner, above named, 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 the learned A.C.J.M. IVth, Gaya in connection with Magadh Medical P.S. Case No. 108/2014, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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