

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5706 of 2018

Arising Out of PS.Case No. -67 Year- 2015 Thana -KAUAKOL District- NAWADA

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1. Ashok Kumar @ Ashok Yadav, Son of Bhola Yadav @ Bhola Mahto,
Resident of Village- Nawadih, Police Station- Kawakole (Rupao) in the
district of Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 02-02-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 28.11.2017
in connection with Kawakole (Rupao) P.S. Case No. 67 of 2015
registered for the offences punishable under Sections 302/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that
though the petitioner is named in the First Information Report, the
husband of the informant had himself gone to do labour-work in
Rajasthan but on being unwell, when he was taken for treatment,
he died on the way to hospital and on the request of his father, the
dead-body was sent to his native village for cremation. It is further
submitted that only on account of local politics, after a lapse of
more than two months, the present First Information Report has



been instituted making false and frivolous allegations. Learned counsel for the petitioner next submits that the petitioner is only a co-worker with the husband of the informant and there is no reason why the present case has been filed as the dead-body was cremated by the villagers and the petitioner has no specific role to play in the cremation of the dead-body.

Considering the entire facts and circumstances and that the petitioner is not having any criminal antecedent and co-accused Sanjay Prasad has already been extended the privilege of regular bail vide order dated 21.02.2017 passed in Cr. Misc. No. 8270 of 2017, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, IVth, Nawada, in connection with Kawakole (Rupao) P.S. Case No. 67 of 2015.

(Anjana Mishra, J)

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