

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55811 of 2018

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

-
1. Arun Kumar Yadav @ Arun Yadav, S/o Late Brahmdeo Yadav,
 2. Bikash Yadav S/o Late Brahmdeo Yadav,
 3. Punit Kumar Mangan @ Punit Yadav S/o Arun Yadav @ Arun Kumar Yadav, All are R/o Vill.- 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. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 302/34 of the Indian Penal Code.

The prosecution case, in short, is that on 13.07.2018 the accused persons including the petitioners assaulted the informant and his wife and his sons by lathi, danda and bricks and co-accused Arvind Yadav assaulted the wife of the informant by means of brick on her neck, due to which she became senseless and was admitted to the Hospital and on 15.07.2018 she died.

It has been submitted on behalf of the petitioners that the



petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. As per the F.I.R., specific allegation is against the co-accused Arvind Yadav. It is a case of brick batting. From the postmortem report, which is Annexure-2 to the present application, it is evident that there is no external injury on the body of the deceased. Hence, the cause of death could not be ascertained by the doctor.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Korha P.S. case No.262 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

U		T	
---	--	---	--

