

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13103 of 2019

Arising Out of PS. Case No.-205 Year-2018 Thana- BAUNSI District- Banka

Devendra Yadav @ Debu Yadav, Son of Chhatish Yadav, Resident of Village -
Bakhadda, P.S. Rajoun, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-05-2019 This is an application for grant of anticipatory bail in
connection with Baunsi P.S. Case No. 205 of 2018 disclosing
offence under Section 302/34 of the Indian Penal Code.

Allegation as per F.I.R. against the petitioner is that
petitioner and one another person have taken the husband of the
informant for Basukinath Mela and later on, he has met with an
accident. She claimed that she has seen the dead body having
sharp injuries and as such, she has claimed that petitioner and
other accused person have killed the deceased.

Submission of the learned counsel for the petitioner is
that the materials collected during the investigation clearly
discloses that the Tempo on which the deceased was going, was
met with an accident and received injuries and the police
personnel have brought the deceased to the hospital. It is further



submitted that postmortem also does not show any sharp injury on the body of the deceased.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also who has opposed the prayer for bail stating that none of the accused persons have received injury and only the deceased has received injury and that clearly shows that he has killed him.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Baunsi P.S. Case No. 205 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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