

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29112 of 2019

Arising Out of PS. Case No.-236 Year-2018 Thana- GORIAKOTHI District- Siwan

SURENDRA YADAV Son of Raghu Nath Yadav Resident of Village -
Sadipur, Khav Tola, P.S.-Goriyakothi, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Kant Singh, Advocate
For the informant	:	Mr. Jitendra Kumar Giri, Advocate.
For the Opposite Party/s	:	Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 01-08-2019 Supplementary affidavit has been filed on behalf of the petitioner stating about criminal cases pending against him. Let it be kept on the record. He has apologized for not mentioning those cases earlier because the deponent is illiterate lady. She was not having knowledge of those cases. However, she could not understand the implication of the case in which the petitioner was convicted, but later on, was released on bail.

Heard learned counsel for the petitioner, learned counsel for the informant and the State.

The petitioner seeks bail in **Goriyakothi P.S. Case No. 236 of 2018**, instituted for the offence under Section(s) 341, 323, 504 and 302/34 of the Indian Penal Code.

It is alleged in the written report that on the date of



occurrence, petitioner along with other accused persons was forcibly ploughing the land of the informant with tractor. When mother of the informant objected, she was assaulted with fists and slap by the accused persons. Co-accused Mukesh Yadav pushed the mother of the informant on the ground. All the accused persons fled away on seeing the village people. Thereafter, the informant with the help of villagers brought her mother in Primary Health Center, but the Doctor declared her dead.

Counsel for the petitioner submits that there is general and omnibus allegation against the petitioner that he along with other co-accused surrounded the mother of the informant. He further submits that other co-accused have already been granted bail by this Court vide order dated 12.3.2019 passed in Cr. Misc. 15113 of 2019.

Case diary has been received.

The post mortem report is available in the case diary wherein the Doctor has opined the cause of death due to brain haemorrhage. No external injury was found on the person of the deceased.

Counsel for the informant has appeared and opposed the prayer for bail



Petitioner is in custody since 25.2.2019 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, 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 **learned Chief Judicial Magistrate, Siwan,** in connection with **Goriyakothi P.S. Case No. 236 of 2018,** subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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