

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75158 of 2018**

Arising Out of PS. Case No.-219 Year-2018 Thana- AKBARPUR District- Nawada

1. Manoj Yadav, Son of Shital Yadav,
2. Kapil Yadav, Son of Shital Yadav,
3. Mantu Yadav @ Mantu Kumar Yadav, Son of Kapil Yadav, All resident of Village- Mahanandpur, P.S.- Akbarpur in the district of Nawada.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Umesh Lal Verma

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

3      13-03-2019                      Heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the informant and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Akbarpur P.S. Case no. 219 of 2018, registered under Sections 341, 323 and 302/34 of the Indian Penal Code.

The accusation is that on 18.08.2018 at about 8.30 P.M. Pawan Yadav came at the house of informant Vidya Devi and asked to her husband Girani Prasad Yadav to accompany him, while informant made protest, but both moved from there saying that they will return within 10 minutes, but her husband did not return, then she started searching of her husband in the



village and in that course, she reached at the bridge situated in south of the village, where she saw the petitioners sitting on the bridge and when she made query about her husband, then petitioners did not give any reply and moved from there. In the meantime, she heard screaming sound near the bridge and when she went there then saw her husband was screaming, who disclosed that petitioners have assaulted him. Thereafter, informant carried her husband in the house and in the next morning, she accompanied her husband at Nawada for treatment from where he was referred to P.M.C.H. Patna, but there was no improvement in the condition of her husband, then he was admitted to Mehar Hospital, Arya Kumar Road, Machhuatoli, Patna, where her husband died on 24.08.2018 at about 9.30 A.M.

Learned counsel for the petitioners submits that petitioners and informant are co-villagers and due to dirty village politics, the petitioners have falsely been implicated in this case. Further submission is that it would appear from the F.I.R. that occurrence is of 18.08.2018 at about 8.30 P.M. and the deceased died on 24.08.2018 in that period deceased was admitted at Nawada hospital and P.M.C.H, Patna, but till death no information was given by the informant or her son, namely,



Azad Kumar Yadav, who is also signatory of the fardbeyan of the F.I.R. Further submission is that in Postmortem examination, three ante mortem injury caused by blunt force impact were found, which clearly suggest about falling of the deceased from bridge. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-I, Nawada in connection with Akbarpur P.S. Case No. 219 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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