

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39559 of 2019

Arising Out of PS. Case No.-131 Year-2018 Thana- PASRAHA District- Khagaria

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SHAIENDRA YADAV Son of Late Pulkit Yadav Resident of Village-Basua,
Police Station-Pasraha, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-08-2019 Heard learned counsel for the petitioner, informant
and the learned APP for the State.

The petitioner seeks bail in Pasraha P. S. Case No.
131 of 2018 instituted for the offence under Section(s) 302/34
Indian Penal Code.

Learned counsel for petitioner submits that petitioner
is not named in the written report.

The informant in her further statement named the
petitioner and other accused persons who were standing near
her husband and they gave threat and committed murder of her
husband by strangulation.

Learned counsel for petitioner submits that no any
specific allegation of overt act has been levelled against this
petitioner.



Learned counsel for the informant has submitted that in the postmortem report doctor has assigned the cause of death due to asphyxia by strangulation resulting CR failure.

But, from the further statement of the informant which was recorded in para 4 of the case diary it appears that she has levelled general and omnibus allegation against this petitioner that he was standing near her husband.

Learned APP for the State submits that other witnesses have also taken name of this petitioner in para 7 and 8 of the case diary but no any specific allegation has been levelled by any of the witnesses.

Learned counsel for informant has appeared and opposed the prayer for bail. He submits that petitioner has criminal antecedent and several cases are pending against him.

Learned counsel for petitioner submits that petitioner is on bail in all those cases.

The petitioner is in custody since 4.2.2019.

Considering the aforesaid, 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 the SDJM, Khagaria, in connection with Pasraha P. S. Case No. 131 of 2018 subject to the



condition that both the bailors shall be the close relative of the
petitioner.

(Sanjay Priya, J)

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