

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43315 of 2019

Arising Out of PS. Case No.-278 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

Jawahir Yadav @ Jahawar Yadav Son of Ghumari Yadav Resident of Village -
Dhodhwaliya, P.S.- Kuchaikot, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate. Mr.Dhananjaya Nath Tiwari
For the Opposite Party/s	:	Mr.Sanjay Kumar
For the informant	:	Mr. Satyendra Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 341, 323, 325, 307, 302/34 of the Indian Penal Code.

The prosecution case in brief is that the accused persons
having Lathi, Danda in their hands came at the door of the
informant and started assaulting Indrasan Yadav, as as result of
which, Indrasan Yadav sustained injuries. He was brought for
treatment, where doctor declared him dead. Allegedly, the
petitioner having picked up said Indrasan Yadav, threw on the
ground.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The



petitioner is in custody since 02-03-2019. Charge sheet has already been submitted. As per FIR, the petitioner is said to have given a push to the deceased and the other accused are alleged to have pressed the neck of the deceased. According to postmortem report, there is swelling over the right eyebrow. The cause of death has not been ascertained. In the present case, the viscera has not been sent for chemical analysis. Allegation made in the FIR is not corroborated by the postmortem report. The other co-accused with similar allegation have been granted bail by coordinate benches of this court vide Annexures- 2 & 3 to this application.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner named above is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Gopalganj in connection with Kuchaikot P.S. Case No. 278 of 2018.

(Sudhir Singh, J)

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