

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70806 of 2018

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

Rajendra Yadav, S/o 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, Advocate Ms. Preety Kunwar, Advocate
For the Opposite Party/s	:	Mr. Lakshmi Kant Sharma, APP
For the Informant	:	Mr. Umesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 19-02-2019

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Informant.

Petitioner seeks bail in **Kuchaikot P.S. Case No.278 of 2018** instituted for the offence under Section(s) 302 and other allied sections of Indian Penal Code.

It is alleged in the fard-e-beyan that on the date of occurrence the petitioner with other accused persons arrived at the door of the informant. It is alleged that this petitioner along with Upendar Yadav pressed the neck of uncle of informant. Other accused persons assaulted with fists and kicks. It is further alleged that this petitioner pushed down the uncle of informant on the ground. All the accused persons knowing that uncle of informant was heart patient, assaulted him with fists



and kicks on his chest with intention to kill him. The informant went to save him, but he was also assaulted by the accused persons. Uncle of the informant was finally declared dead in the hospital.

Counsel for the petitioner submits that in the postmortem report only one injury has been found i.e. swelling over right eyebrow. Visceras have been preserved. No definite cause of death has been given.

From the written report, allegation against petitioner is that he along with Upendra Yadav pressed the neck of uncle of the informant. The other accused persons assaulted him with fists and kicks.

Petitioner is in custody since 09.09.2018.

In the 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 bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, VII, Gopalganj**, in connection with **Kuchaikot P.S. Case No.278 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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