

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78945 of 2018**

Arising Out of PS. Case No.-211 Year-2018 Thana- JAMUI District- Jamui

Sikandar Yadav @ Sikwa S/o Yadu Yadav R/vill-Lakhapur, P.S-Jamui, Distt.-
Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pankaj Kumar Sinha
For the informant	:	Mr. Ram Vinay Pd. Singh @ Sanjay
For the Opposite Party/s	:	Mr.Md. Sufiyan

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

ORAL ORDER

3 01-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Jamui P.S. Case no. 211 of 2018, registered under Section
302/34 of the Indian Penal Code.

The accusation is that on 25.04.2018 on the occasion
of Tilak at the house of informant all of a sudden at about 10.30
P.M. generator was shutdown, thereafter, Awadhesh Singh,
cousin brother of the informant, asked why generator has been
stopped then informant replied that due to technical problem
generator has been stopped. In the meantime, informant saw that
Pramod Yadav was present near the generator, while informant
reached near the Pramod Yadav then villager Hipi Yadav gave



lathi blow and Hridaylal Yadav also asked to assault. Thereafter, informant fled away. In the meantime, Yogendra Singh, Awadhesh Singh, Priyanka Kumari and Shyama Devi, father, cousin brother, sister and mother, respectively, of the informant rushed then Hridaylal Yadav threw big stone at the head of his father Yogendra Singh in which he sustained grievous injury and he fell down. Thereafter, Pramod Yadav started causing assault to the father of the informant, while Yogendra Singh tried to woke up then Hridaylal Yadav asked to cause assault on hearing the same, petitioner started to cause assault to Awadesh Singh. Thereafter, father of the informant rushed to Sadar hospital from where he was referred to Patna, but he died on the way.

Learned counsel for the petitioner submits that it would appear from F.I.R. that at the occasion of Tilak ceremony, occurrence of Marpit took place in which allegation has been made against the petitioner to cause assault to Awadhesh Singh, cousin brother of the informant, by means of lathi, but no any injury was found on the person of the informant. The petitioner being the co-villager was present there and he has falsely been implicated in this case.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the



event of his 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 Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No. 211 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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