

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.556 of 2019

Arising Out of PS. Case No.-121 Year-2018 Thana- BAUNSI District- Banka *

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Gaurav Yadav @ Gaurav Kumar Yadav @ Abhinav Kumar Son of Mahesh Yadav @ Mahesh Prasad Mandal Resident of Village- Babhangama, Police Station - Bounsi, District- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Thakur

For the Opposite Party/s : Smt. Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-03-2019 Heard learned counsel for the petitioner and the learned counsel for the informant as well as the State.

The petitioner seeks bail in Bounsi P.S. Case No. 121 of 2018, instituted for the offences under Sections 302, 506, 34 of the Indian Penal Code.

It is alleged that this petitioner took the son of the informant with him and he did not return.

Learned counsel for the petitioner has submitted that petitioner is not named in the written report. The witnesses in paragraph 3,4,8,9 and 10 have not alleged any overt act against this petitioner. The mother of the deceased has stated that some unknown person committed murder of her son. The post-mortem report is available in the case diary, where cause of



death has been shown shock and hamourrage.

Learned counsel for the informant has opposed the prayer for bail. He has submitted that in paragraph 46-50 of the case diary witnesses have stated that this petitioner was taking the son of the informant. In the post-mortem report doctor has found cause of death due to hemorrhage and shock and injuries have been found on the shoulder and right parietal region of leg.

From perusal of the written report as well as in the statement of witnesses as recorded in paragraph 46-50 of the case diary, it appears that there is allegation of specific overt act against this petitioner. The allegation against the petitioner utmost is of last seen of the occurrence.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. 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 learned Chief Judicial Magistrate, Banka, in connection with Bounsi P.S. Case No. 121 of 2018. Both the bailors will be close relative of petitioner.

(Sanjay Priya, J)

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