

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23049 of 2020

Arising Out of PS. Case No.-107 Year-2019 Thana- KAUWAKOL District- Nawada

KEWAL YADAV Son of Munshi Yadav Resident of Village - Madhurapur,
P.S. - Kawakole, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-12-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through Video
Conferencing.

This application, for grant of anticipatory bail, arises
out of Kawakole Police Station Case No. 107 of 2019,
disclosing offences under Sections 328/304/34 of the Indian
Penal Code.

The prosecution case, as per the First Information
Report, is that the petitioner, along with other co-accused
persons, administered poison to one Kapil Yadav (now,
deceased), who is relative of the informant.

Learned Counsel for the petitioner submits that the
petitioner, along with other co-accused persons, have falsely
been implicated in this case inasmuch as the deceased had



returned to his village after two months and in the night, at about 10 PM, he died and no external injury was found on the person of the deceased. He further submits that viscera of the deceased was preserved and in the viscera report, no trace of poison was found. He further submits that similarly situated co-accused persons, namely, Nawal Yadav and Ramavtar Yadav, have been granted anticipatory bail by this Court, vide order passed in Criminal Misc. No. 23065 of 2020.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that similarly situated co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, 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 learned 1st Additional Chief Judicial Magistrate, Nawada, in connection with Kawakole Police Station Case No. 107 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.



It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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