

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31338 of 2020

Arising Out of PS. Case No.-231 Year-2019 Thana- KHIJARSARAI District- Gaya

1. Vinay Yadav @ Vinay Kumar Yadav, aged about 30 years, male, S/o Krishnadeo Yadav.
2. Karu Yadav @ Karu Prasad Yadav, aged about 35 years, male, S/o Vishundeo Yadav.

Both are resident of Village- Surju Bigha, P.S.- Khizersarai, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 01-12-2020 Heard Mr. Krishna Prasad Singh, learned Senior Advocate for the petitioners and Mr. Ajay Kumar No. 2, learned APP for the State.

The petitioners seek bail in connection with Khizersarai P.S. Case No. 231 of 2019, dated 10.08.2019, which was initially instituted for the offences under Sections 308, 341, 323, 325 and 34 of the Indian Penal Code, but



with the death of the deceased, Section 302 of the I.P.C. was also added.

It has been alleged by the informant in the First Information Report that the father-in-law of the deceased was being assaulted, but she ventured to intercede. The four accused persons, led by Sanjay Yadav, assaulted her by means of hard and blunt substance. She became seriously injured. Thereafter, it has been stated that the petitioners and others also assaulted her by fists and slaps.

Learned Senior Counsel appearing for the petitioners has drawn the attention of this Court to the *postmortem* report which does not contain injuries, which could be attributed to the petitioners. Apart from this, it has been submitted that aforesaid Sanjay Yadav, who is alleged to have assaulted the deceased in the first instance by means of hard and blunt substance, has been granted bail by a Bench of this Court *vide* order date 28.02.2020 passed in Cr. Misc. No. 11791 of 2020.

Regard being had to the fact that the petitioners are in custody since 17.03.2020 and taking into account the



nature of accusation against them, they are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Gaya in connection with Khizersarai P.S. Case No. 231 of 2019.

(Ashutosh Kumar, J)

Praveen-II/-

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