

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77721 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

KESHO YADAV @ KESHAV YADAV Son of Late Ram Talika Singh
Resident of Village - Dhankadha, P.S.- Sasaram (M), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Tiwary, Advocate
For the informant	:	Mr. Jai Prakash Singh, Advocate
		Ms. Arti Kumar, Advocate
For the State	:	Mr. Rabindra Kumar., A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application for regular bail arises out of
Sasaram (M) P.S. Case No. 74 of 2019, disclosing the
offences under Sections 341, 323, 307, 504, 379, 34 of the
Indian Penal Code. Subsequently, Section 302 of the Indian
Penal Code was added.

On perusal of the First Information Report it can
be noticed that there is allegation against co-accused Jai
Prakash Yadav of having assaulted in the head of the
informant's husband with *Rami*. There is allegation against
the petitioner of having assaulted the deceased with danda.



The deceased died fifty days after the occurrence.

Learned counsel appearing on behalf of the petitioner has submitted that the allegation of making the fatal blow is against Jai Prakash Yadav. The petitioner has been implicated, he contends, because he is brother of said Jai Prakash Yadav.

Learned counsel for the Informant has vehemently opposed the prayer for bail and has submitted that both Kesho Yadav (petitioner) and Jai Prakash Yadav had assaulted in the head of the informant's husband and the petitioner is equally responsible for the death of the deceased, because of the assault made by him.

Considering however, the submission that the fatal blow was given by co-accused Jai Prakash Yadav and since the petitioner is in custody since 10.09.2019, this application 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 **learned Chief Judicial Magistrate, Rohtas at Sasaram**, in connection with **Sasaram (M) P.S. Case No. 74 of 2019**, subject to the condition that the petitioner



shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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