

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13640 of 2021

Arising Out of PS. Case No.-65 Year-2020 Thana- RAJPUR District- Buxar

SHRAVAN YADAV @ SARVAN YADAV S/O VIJAY NARAYAN YADAV
@ VIJAY NARAYAN SINGH R/O VILLAGE-KAJARIA, P.S.-RAJPUR,
DISTRICT-BUXAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Adv

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 31-08-2021 In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Rajpur P.S. Case No. 65 of 2020 registered under Section 302 of the Indian Penal Code.



Informant's father has been done to death while he had gone to keep watch on the boring pump set over the night.

Learned counsel for the petitioner submits that FIR is against unknown person. The post-mortem report has revealed cause of death being based on shock and hemorrhage due to ante-mortem bruise, which could have been sustained even by falling. The family members of the deceased have been examined in the investigation but none has stated about there being an enmity with anyone of the deceased who himself was an aged person. He further submitted that due to subsisting dispute regarding partition of the assets between the sons of the deceased the petitioner has been implicated, as he was on friendly terms with Sunita (daughter-in-law of the victim) and her husband. The said Sunita has been allowed bail in Cr. Misc. No. 9870/2021. Having no criminal antecedents and based on suspicion petitioner is in custody since 21.9.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner 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, Buxar in Rajpur P.S. Case No. 65 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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