

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17252 of 2021**

Arising Out of PS. Case No.-529 Year-2020 Thana- BAHADURPUR District- Darbhanga

VIJAY YADAV Son of Gyani Yadav Resident of Village - Gaighatti, P.S.-
Bahadurpur (Pator O.P.), and Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 06-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Bahadurpur (Pator OP)
P.S. Case No. 529 of 2020, registered for the offence punishable
under Sections 302, 354(B), 323 of the Indian Penal Code.

As per the prosecution case, on 17.11.2020 at 5.00 pm
grand-son of informant namely, Mandeep Kumar aged about 4
years was playing with stone chips which were lying at the
darwaja of Pradeep Yadav upon which Pradeep Yadav assaulted
the grand-son of the informant to which the wife of informant
namely, Punita Devi objected then Pradeep Yadav abused her. It
is further alleged that Pradeep Yadav called upon other family



members and it is alleged that petitioner and others came there and assaulted the wife of informant with lathi, iron etc. causing injury to her as a result she fell down. It is further alleged that Pradeep Yadav caused hurt with iron rod on the head of wife of informant and other accused persons also assaulted her with fists and slaps. When daughter-in-law and daughter of informant came to save Punita Devi then the petitioner and Pradeep Yadav caught hold of the daughter of informant and cause hurt to them and petitioner threw down the daughter of informant. During course of treatment Punita Devi died on 23.11.2020.

It is submitted on behalf of the petitioner that there is general and omnibus allegation of abuse and commission of assault against all the accused persons. No specific overt act has been alleged against this petitioner and from perusal of inquest report police did not find any injury on the body of deceased and in postmortem report the Doctor has also not found any external injury on the person of deceased. Petitioner is in custody since 26.11.2020 having clean antecedent. Investigation is complete.

Considering the facts and circumstances of the case and period of custody, the petitioner above-named, is directed to be enlarged 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 Judicial Magistrate Ist Class, Darbhanga in connection with Bahadurpur (Pator OP) P.S. Case No. 529 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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