

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38127 of 2020

Arising Out of PS. Case No.-280 Year-2019 Thana- KUSHESHWARASTHAN District-
Darbhanga

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SANJAY YADAV @ SANJAY RAI son of Ramanuj Yadav @ Nuja Yadav
Resident of at Udda, Post- Dinmo, P.S. Kusheshwar Asthan, District-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Singh

For the Opposite Party/s : Mr. N. N. Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-08-2021 Heard learned counsel for the petitioner, learned

APP for the State and learned counsel for the informant through

virtual mode.

Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the Office, within a period

of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case

registered under Sections 341, 323, 354 and 302/34 of the

Indian Penal Code.

The prosecution allegation, in short, is that on a trivial

issue regarding grazing by she-goat, the accused persons

assaulted mother of the informant due to which she sustained

injury and later succumbed to the injury.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per the allegation, the petitioner is said to have assaulted the deceased with leg. From perusal of the post-mortem report, it appears that there is no external injury, not even a bruise, found on the body of the deceased. The post-mortem report does not corroborate with the allegation made in the F.I.R.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned J.M. 1st Class, Biraul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 280/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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