

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40002 of 2020**

Arising Out of PS. Case No.-382 Year-2020 Thana- KAHALGAON District- Bhagalpur

Kanti Yadav @ Kantlal Yadav, Son of Late Ganesh Yadav, Resident of
Village- BanSHIPur, P.S.- Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh, Advocate.

For the Opposite Party/s : Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 22-07-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office,

within four weeks of starting of the Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Kahalgaon P.S. Case No. 382 of 2020, registered under
Sections 302 and 323/34 of the Indian Penal Code.

The accusation is that on 25.06.2020, at about 9
A.M., informant, Chamak Lal Yadav, along with his wife,
Guriya Devi and mother Ruda Devi was present at his field then
at that time, Dinesh Yadav along with his two sons, Deepak



Yadav and Diwakar Yadav and one Kanti Yadav (petitioner) having Khanti, Dabiya and lathi in their hand came there. In the meantime, Dinesh Yadav gave Khanti below at the head of his mother, Ruda Devi, who sustained injury at her head and others also caused injury to his mother. Thereafter, they also started to cause injury to the informant and his wife but anyhow informant and his wife fled away and save their life.

Learned counsel for the petitioner submits that it would appear from the FIR that specific allegation is made against Dinesh Singh to give Khanti blow at the head of Ruda Devi, mother of the informant with further allegation that other accused persons including the petitioner also caused injury to the deceased, mother of the informant, but only one lacerated wound 2"x0.25"x scalp deep was found over left side of parietal region and case of death is shown as natural death due to disease of heart, while her histopathological report awaited for further confirmation. Further submission is that it would appear from the injury report that the Doctor has not found any apparent injury at the informant and his wife, which would appear from annexure 3 of the petition. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the



case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon P.S. Case No. 382 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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