

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2717 of 2021

Arising Out of PS. Case No.-28 Year-2020 Thana- RISIYAP District- Aurangabad

PRAMOD YADAV @ PRAMOD KUMAR YADAV Son of Krishna Yadav
Resident of Village- Punabar, P.S.- Risiup, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari, Advocate.

For the Opposite Party/s : Mrs. Suman Kumari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

8 24-09-2021

Heard the parties in virtual Court.

The petitioner is languishing in custody for the offence punishable under Sections 323, 307, 302 and 504/34 of the Indian Penal Code.

Petitioner is in custody since 12.05.2020. The F.I.R. discloses that when occurrence of assault was going on father of the informant came for intervention, then the petitioner assaulted him with a khanti causing injury at the head and abdomen. The head and abdomen injury was cause of death which would be evident from the post mortem report.

Learned counsel for the petitioner submits that this is not a case of intentional or knowingly causing death rather in a sudden fight, only when father of the informant intervened, he allegedly sustained injury. Khanti is a weapon of penetration



and cutting. The doctor has found the injury caused by hard and blunt substance. Several persons were involved in the occurrence of assault from both sides.

Considering the submission aforesaid and completion of investigation and no material to substantiate that the petitioner is going to tamper with the evidence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Risiup P.S. Case No. 28 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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