

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29214 of 2021

Arising Out of PS. Case No.-445 Year-2020 Thana- KOILWAR District- Bhojpur

VINOD RAI Son of Rajendra Yadav Resident of Village - Birampur, P.S. -
Koilwar, District - Bhojpur (Ara).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Opposite Party/s : Ms. Meena Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-02-2022 Heard learned counsel for the parties through virtual
court proceedings.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of normal court proceedings. In the
eventuality of non-removal of defects within undertaken period,
the office will place the matter before the Bench.

The petitioner apprehends his arrest in Koilwar P.S.
Case No.445 of 2020, registered for the offences punishable under
Sections 302/34 of the Indian Penal Code.

The petitioner and Lal Bahadur, the elder brother of
father-in-law of the informant, are said to have assaulted the
father-in-law of the informant and killed him.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. It is submitted that from perusal of the postmortem report of the deceased, it appears that there is no external or internal injury on the dead body and the opinion of the doctor is that the death was due to cardiac arrest. It is also submitted that there is land dispute between the parties. It is further submitted that there is no eye witness of the occurrence. It is lastly submitted that the petitioner has got no criminal antecedent as stated in para 3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the fact that postmortem report does not support the case of the prosecution, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur (Ara) in connection with Koilwar P.S. Case No.445 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J.)

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