

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35477 of 2021

Arising Out of PS. Case No.-285 Year-2020 Thana- MANJHAGARH District- Gopalganj

YOGENDRA YADAV Son of Late Sakal Yadav Resident of village - Madhu
Sareya, P.S.- Manjhagarh, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar

For the Opposite Party/s : Ms.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Manjhagarh Police Station Case No. 285 of 2020, registered for
the offences punishable under Sections 302/34 of the Indian
Penal Code.

The prosecution case, as per the First Information
Report, is that the petitioner allegedly assaulted the informant
while she was feeding her ten months old child in her lap, and
due to the assault, the child of the informant died.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case due to family
dispute. He further submits that during course of investigation,
the witnesses have said that the child of the informant was



suffering from some liver ailment since birth and due to which he has died. He, referring to the postmortem report, submits that no external injuries have been found on the person and the dead body of the child. He further submits that similarly situated co-accused persons, namely, Shankar Yadav and Prem Yadav, have been granted bail by co-ordinate Bench of this Court, vide order, dated 14.12.2021, passed in Criminal Misc. No. 30789 of 2021. He next submits that the petitioner is in custody since 5.1.2021.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that no external injury has been found on the body of the deceased child and further, the witnesses during course of investigation have stated that the child was suffering from some liver ailment since birth, similarly situated co-accused persons have been granted bail by this Court and the petitioner is in custody since 5.1.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with



Manjhagarh Police Station Case No. 285 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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