

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52135 of 2021**

Arising Out of PS. Case No.-193 Year-2021 Thana- JHAJHA District- Jamui

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Sitaram Yadav @ Tetar Yadav S/O- Rameshwar Yadav Resident of Village-
Katahratarn, P.s.- Jhajha, Distt- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Prasad Singh,Sr.Adv.
Mr.Manindra Kishore Singh
For the Opposite Party/s : Mr.Mohammad Sufyan

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 20-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Jhajha P.S. Case No. 193 of 2021, registered for the offence under Sections 147, 149, 302, 452, 504, 506 and 427 of the Indian Penal Code.

As per the prosecution case, husband of the informant was brutally assaulted by petitioner and other F.I.R. named accused persons, as a result of which, he died on the spot.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. As per F.I.R., this petitioner is said to have assaulted the deceased on his head, whereas, the doctor has not found any injury on the head of the deceased. Petitioner is in custody since 08.07.2021.



However, learned A.P.P. for the State and learned counsel for the informant vehemently opposed the bail petition. Learned counsel for the informant submits that there is specific allegation against this petitioner of causing assault on the head of the deceased by axe.

Considering the rival submission of the parties, material available on record and in view of the fact that as per *post-mortem* report, no injury was found by the doctor on the head of the deceased, the bail petition of petitioner is allowed. Let the above named petitioner 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, Jamui in connection with Jhajha P.S. Case No. 193 of 2021.

(Prabhat Kumar Singh, J)

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