

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62129 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- PAUTHU District- Aurangabad

1. Ganesh Yadav S/O Late Chandradeep Yadav R/O Village-Kharauna Buzurg,
Police Station- Pauthu, District- Aurangabad
2. Naresh Yadav S/O Late Chandradeep Yadav R/O Village-Kharauna Buzurg,
Police Station- Pauthu, District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlendra Pd. Singh, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-03-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in a case registered for the
offences punishable under Sections 302, 201 and 34 of the
Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are in custody since 20.06.2021 and 28.06.201
respectively, charge-sheet has been submitted in the case and
have antecedent of two cases each.

Learned counsel for the petitioners submits that the
informant alleges that on 16.06.2021 at 4:00 am, Rahul and
Vikram went for running at Kharaun Brigurari. It is further



alleged that Ganesh Yadav (petitioner no.1) had made illegal electric connection in his farm which was on the way and Rahul, coming in contact with electric wire, died and Vikram fled from the place of occurrence i.e. from the farm of Ganesh Yadav further dead body of Rahul was concealed by Ganesh with the help of co-accused.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, the informant is not an eye-witness to the occurrence, though it is alleged that the deceased died due to coming in contact with electric wire but the postmortem report completely negates the said allegation. Learned counsel draws the attention of the Court to the impugned order to submit that the postmortem report records that cause of death is not ascertained, so viscera has been preserved and opinion reserved. Learned counsel thus submits that had the deceased died on account of shock due to electric current then definitely the postmortem report would have recorded death by electrocution.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the fact that the petitioners are in custody, charge-sheet has been submitted in the case and in the



nature of allegation, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Pauthu P.S. Case No. 45 of 2021.

(Satyavrat Verma, J)

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