

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32754 of 2023

Arising Out of PS. Case No.-83 Year-2022 Thana- DHANGAI District- Gaya

RAJENDRA YADAV @ RAJENDRA KUMAR Son of Dhalu Yadav Resident
of village - Rebda, P.S. - Dhangai, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Narain Yadav, Advocate. Mr. Nikhilesh Kumar, Advocate. Ms. Sweta Kumari, Advocate.
For the Opposite Party/s	:	Mr. Ramesh Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 30-08-2023 Heard Mr. Suraj Narain Yadav, learned counsel for
the petitioner and Mr. Ramesh Chandra, learned Additional
Public Prosecutor appearing for the State.

2. Petitioner apprehends his arrest in connection with
Dhangai P.S. Case No. 83 of 2022 registered for the offence
punishable under Sections 302, 201 and 34 of the Indian Penal
Code.

3. As per the prosecution case on 27.11.2022 at about
7:00 PM, petitioner along with other co-accused persons
altogether six in number arrived at the house of the informant
and took her husband along with them on Motorcycle. It is
further alleged that informant's husband did not return in the
night and in the morning, his dead body was found near a brick



kiln.

4. Learned counsel for the petitioner submits that the petitioner along with entire family members and others have been made accused in this case due to land dispute between co-accused Hardeo Yadav and the deceased. He further submits that the Motorcycle and Mobile Phone of the deceased were found near the brick kiln situated at the side of the road. Referring to Annexure-3, Postmortem report, learned counsel submits that the Doctor has given cause of death as head and brain injury due to Road Traffic Accident. He next submits that the petitioner does not have any dispute with the deceased which has come during course of investigation. The co-accused Hardev Yadav has already been granted regular bail by this Court in Cr. Misc. 32035 of 2023. He also submits that there is no possibility that the petitioner will abscond or tamper with the evidence.

5. Regards being had to the submission made by the parties and taking into consideration the fact that co-accused Hardev Yadav has been granted regular bail, the Doctor has given the cause of death as Road Traffic Accident, petitioner has got no criminal antecedent and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.



6. Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM II, Sherghati, Gaya, in connection with Dhangai P.S. Case No. 83 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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