

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51019 of 2023

Arising Out of PS. Case No.-529 Year-2020 Thana- BAHADURPUR District- Darbhanga

Pradeep Yadav @ Pradeep Kumar Yadav, Son of Gyani Yadav, R/O-Gaighatti,
P.S.-Patour, District-Darbhangha

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate Mr. Ugranath Mallik, Advocate
For the Opposite Party/s	:	Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-09-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Bahadurpur (Patour) P.S. Case no. 529 of 2020, registered under sections 302, 354B, 379, 147, 148, 149, 341, 323 and 504 of the Indian Penal Code.

3. The earlier application for bail of the petitioner was rejected vide order dated 6.1.2023 passed in Cr. Misc. no. 1473 of 2022.

4. As per the prosecution case, the petitioner is said to have assaulted the wife of the informant with a rod on her head as a result of which she fell down injured. She subsequently succumbed to her injuries in course of treatment.

5. It is submitted by learned Senior Counsel appearing



for the petitioner that the petitioner has been falsely implicated in the case. The cause of occurrence, as would be evident from the FIR, was a trivial dispute when the grandson of the informant was playing on the ground and the petitioner started to abuse his wife. Death is said to have taken place after six to seven days of the occurrence in course of treatment. The petitioner is in custody since 17.8.2021 and undertakes to cooperate in the trial.

6. The application for bail of the petitioner is opposed by learned APP for the State.

7. A report was called for from the learned trial Court. As per the report received contained in letter dated 11.8.2023 of the I/c Additional District and Sessions Judge-X, Darbhanga, charge has been framed in the learned trial Court on 2.3.2023, however, no witness has been examined on behalf of the prosecution.

8. Having heard learned Senior Counsel for the petitioner and learned APP for the State, taking into consideration the allegation in the FIR, contents of the postmortem report, the petitioner having remained in custody since 17.8.2021, charge having been framed in the learned trial Court and no witness having been examined on behalf of the



prosecution, the petitioner is directed to be enlarged on bail in connection with Bahadurpur (Patour) P. S. Case no. 529 of 2020, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Darbhanga.

(Partha Sarthy, J)

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