

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48273 of 2023

Arising Out of PS. Case No.-88 Year-2023 Thana- KATEYA District- Gopalganj

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DINESH YADAV, aged about 40 years, Male, SON OF SRIKISHUN
YADAV RESIDENT OF VILLAGE- BARAI BEDHAI, PS- KATEYA, DIST-
GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 03-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.
2. Petitioner seeks regular bail in connection with
Kateya P.S. Case No. 88 of 2023 dated 24.02.2023 registered
for the offence(s) punishable under Section(s) 147, 149, 341,
323, 307, 302 and 504 of the Indian Penal Code.
3. The main submissions advanced by the learned
counsel for the petitioner are that FIR was registered against
seven accused persons including the petitioner who are family
members and admittedly the informant's land is situated near
the petitioner's house and on 21.02.2023, a dispute arose in
between both the parties on account of flowing of water in
maize field of the informant which is stated to be the genesis of



the occurrence and following that dispute as per allegation, all the accused persons assaulted the informant's wife by means of *lathi* and *danda*, if the said allegation is assumed to be true even then the alleged offence of Section 302 of IPC is not made out and the matter may come in the purview of Section 304 of IPC only and moreover against the petitioner there is no specific allegation. Further submissions are that as per FIR the alleged occurrence of assault took place on 21.02.2023 and just after the occurrence, the victim was taken to hospital for the treatment and she returned back and at that time there was no deterioration of her health and suddenly on 24.02.2023, she died and in the postmortem report of the deceased no external injury was found and further in the alleged occurrence of assault no fatal weapon was used. Further submissions are that the petitioner has been languishing in jail since 27.02.2023 and against him, the investigation has been completed.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions, the nature of allegation as well as the genesis of occurrence and also the completion of investigation against the petitioner, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-



above be enlarged on bail in connection with Kateya P.S. Case No. 88 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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