

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71768 of 2022

Arising Out of PS. Case No.-192 Year-2022 Thana- BAHERI District- Darbhanga

1. PAWAN YADAV @ PAWAN KUMAR YADAV Son of Chotak Yadav R/V-
Chanmana P.S- Baheri Distt- Darbhanga
2. Usha Devi wife of Pawan Yadav R/V- Chanmana P.S- Baheri Distt-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Kedar Jha
For the Opposite Party/s :	Mr.Uma Shankar Prasad Singh
	Mr. Ranjit Kumar Yadav

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-05-2023 Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 302/ 34 of the Indian Penal Code.

As per the prosecution case, on account of dispute over pathway, all the FIR named accused persons, including theses petitioners, entered into house of the informant and assaulted his father mercilessly causing serious internal injuries on his person. The father of informant died during the course of treatment.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. The occurrence took place on account of land dispute.



Allegation of assault is general and omnibus. No hurt was caused either to the informant or his father. Father of informant died natural death. During the post mortem examination no external or internal injury was found on the person of the deceased. Petitioners have got clean antecedent.

Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail and submitted that there is specific allegation that these petitioners along with other accused persons assaulted the father of informant and father of informant died during the course of treatment.

Considering the facts of the case and the post mortem report coupled with clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VII, Darbhanga in connection with Baheri PS case No. 192/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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