

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35962 of 2024

Arising Out of PS. Case No.-93 Year-2023 Thana- TIKAPATTI District- Purnia

Mukesh Yadav S/o Late Fuleshwar Yadav R/o Village - Dhusar, P.S. -
Tikapatti, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 31-07-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Tikapatti P.S. Case No.93 of 2023 registered for the offence
under Sections 307/34 of the Indian Penal Code and later on
Section 302 of the IPC has been added.

3. Allegation against the petitioner along with
other co-accused person is to have brutally assaulted Sanjay
Yadav as a result of which Sanjay Yadav succumb to death.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been



implicated in the present case. It is submitted that admittedly there is land dispute in between the parties, where, there is case and case and counter case between the parties. It is submitted that it appears from perusal of case diary that several witnesses have been examined under Section 161 of the Cr.P.C. by investigating officer and but there is no eye-witness to this case and all the witnesses have stated in their statement that they have reached at the place of occurrence after commission of occurrence and found three persons injured, namely, Sanjay Yadav (deceased), Mukesh Yadav, Nitish Kumar Yadav and no statement as regard to what weapon has used in the occurrence assaulting the deceased. It is submitted that it appears from the postmortem report that cause of death is due to hamorrhage and shock. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 11.02.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Tikapatti P.S. Case No.93 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the



like amount each to the satisfaction of learned Judicial
Magistrate, 1st Class, Purnea.

(Ramesh Chand Malviya, J)

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