

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71190 of 2024

Arising Out of PS. Case No.-189 Year-2024 Thana- RAMGARH District- Kaimur (Bhabua)

1. Gopal Yadav Son of Ramesh Yadav R/O Vill.- Basanpur, P.S.- Nuaon, Dist.- Kaimur, Bhabua.
2. Ram Janam Yadav Son of Ramesh Yadav R/O Vill.- Basanpur, P.S.- Nuaon, Dist.- Kaimur, Bhabua.
3. Kanhaiya Yadav Son of Ramesh Yadav R/O Vill.- Basanpur, P.S.- Nuaon, Dist.- Kaimur, Bhabua.
4. Ramesh Yadav Son of Late Faudar Yadav R/O Vill.- Basanpur, P.S.- Nuaon, Dist.- Kaimur, Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Radha Mohan Pandey, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Singh, APP
For the Informant	:	Mr. Pawan Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 21-11-2024 Heard learned counsel for the petitioners and learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Ramgarh (Nuaon) P.S. Case No. 189 of 2024 instituted for the offence under Sections 341, 323, 307, 447, 302/34 of the Indian Penal Cod.

3. As per the prosecution case, allegation against the petitioners is of assaulting the father of the informant by means of *lathi*, *danda* and he died on the spot.

4. It has been submitted on behalf of the petitioners



that the petitioners are in custody since 05-07-2024. Petitioners bear no criminal antecedent.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. There is no specific allegation attributed to the petitioners rather allegation is general and omnibus in nature. Learned counsel goes on to submit that there was no external injury found on the body of the deceased. Hence, injury report does not corroborate with the allegation levelled in the FIR. It is submitted that deceased was 64 years old and was suffering from various disease and he died due to his natural death.

6. Learned A.P.P. for the State and learned counsel for the Informant have vehemently opposed the prayer for grant of bail to the petitioners. It is submitted that allegation against the petitioners is serious in nature due to which he died. It is submitted that cause of death is not ascertained.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, there being no direct allegation against the petitioners and clean antecedent of the petitioners, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ramgarh (Nuaon) P.S. Case No. 189 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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