

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70860 of 2023

Arising Out of PS. Case No.-389 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

Santlal Yadav Son Of Late Panchu Yadav Resident Of Village Badluchak
Yadav Tola, Ps Jagdishpur, Distt - Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pankaj Kumar
For the Informant	:	Mr. Sudhir Kumar Mishra
For the State	:	Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-01-2024 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 341, 323, 307, 302, 447, 504, 506/34 of the

Indian Penal Code.

The prosecution case as per F.I.R is that on

01.09.2022 at 7:00 a.m, the petitioner and co-accused

Bipin Yadav were grazing their buffalo in the field of the

informant on which the wife of the informant namely



Anju Devi objected due to that dispute, the accused persons assaulted her by lathi on her head with intention to kill, due to which, she became seriously and during the course of treatment, she died.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The informant is not the eye witness to the occurrence. There is general and omnibus allegation against the petitioner. The postmortem report though suggests the cause of death as head injury caused by hard and blunt substance but it has not been attributed against the petitioner. The petitioner is languishing in custody since 02.09.2022.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be



released on bail **after framing of charge, if the charge has still not been framed** and on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur (Goradih) P.S. Case No. 389 of 2022.

(Sunil Kumar Panwar, J)

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