

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 510 of 2014

Ashok Yadav @ Ashok Kumar Yadav Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE D.N. UPADHYAY

For the Petitioner : Mr. Abhay Kr. Chaturvedy, Advocate
For the State : A.P.P.

02/ 30.08.2014 Heard learned counsel for the parties.

It is disclosed in the *fardebayan* that petitioner took the deceased with him for certain work. At the instigation of petitioner deceased climbed on a tree to collect honey but he fell down and sustained injury on his head and died in course of treatment.

It is submitted that no case under Section 304 I.P.C. is made out against the petitioner. Even admitting the contention made in the *fardebayan* true, it was just an accident which has taken place due to negligence of the deceased.

Learned counsel appearing for the State has opposed the prayer for bail.

Considering facts and circumstances, above named petitioner is directed to surrender before the Court below within a period of three weeks from today and on such surrender he is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court of learned Civil Judge, Junior Division-VIII, Garhwa in connection with Kharoundhi P.S. Case No.120 of 2013 corresponding to G.R. Case No.3224 of 2013 subject to the conditions laid down under Section 438(2) Cr.P.C.

(D. N. Upadhyay, J.)