

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.539 of 2015

Arising Out of PS.Case No. -69 Year- 2014 Thana -MADHUBAN District- EAST
CHAMPARAN(MOTIHARI)

=====

1. Yogendra Sahni Son of Kailash Sahni Resident of Village-Nayka Tola,
P.S-Madhuban, Distt.-East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Sanjay Kr. Sharma (App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 16-04-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The informant gave written report to Officer-in-Charge of Madhuban police station on the alleged date of occurrence and in the aforesaid written report, he made omnibus allegation against the petitioner and other accused persons but when the further statement of the informant was recorded, he stated that it was petitioner who pierced bhala into the chest of his father and, thereafter, other accused mercilessly assaulted his father by means of lathi. The post mortem report of the deceased reveals that only one injury i.e. incised wound 1”x1/2” with clean cut margin and communicating to the chest on right upper chest

was found.

The contention on behalf of the petitioner is that the informant is not an eye witness of the alleged occurrence and that is why his statement is not corroborated by the post mortem report of the deceased.

Considering the facts and circumstances of the case as well as submissions of the parties and also keeping in mind the specific allegation levelled against the petitioner, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Madhuban P.S. Case No. 69 of 2014 pending in the court of Chief Judicial Magistrate, Motihari, East Champaran stands rejected, at least, at this stage.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--