

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38755 of 2014

Arising Out of PS.Case No. -254 Year- 2013 Thana -BARACHATTI District- GAYA

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1. Raju Yadav Son of Late Chhathu Yadav Resident of village- Kathautia,
P.S.- Barachatti, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Anand Kishore Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 31-07-2015 Heard learned counsel for petitioner and

learned Additional Public Prosecutor for the State.

The contention on behalf of the petitioner is that only one injury on the neck of the deceased was found and according to further statement of the informant, it was Ramchandra Yadav, who assaulted the deceased by sword causing injury on his neck but I am not, at all, convinced with the aforesaid submission because the informant specifically, stated at paragraph-4 of further statement that petitioner gave Kulhari blow on the same place of body of the deceased where Ramchandra Yadav had given the blow. Moreover, the neck injury of the deceased became fatal for him.

Considering the aforesaid facts and circumstances as well as submission of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Barachatti P.S. Case No. 254 of 2013 pending in the court of Learned Sub Divisional Judicial Magistrate, Sherghatti, Gaya stands rejected.

However, the concerned court is directed to commit the case of the petitioner within four weeks from the date of receipt/production of copy of the order in accordance with law, even by separating the case of co-accused, Ramchandra Yadav.

(Hemant Kumar Srivastava, J)

A.K.V./-

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