

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17029 of 2015

Arising Out of PS.Case No. -201 Year- 2014 Thana -MURLIGANJ District- MADHEPURA

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1. Nago Yadav @ Nageshwar Yadav Son of Late Gobardhan Yadav,
Resident of village- Bhelahi, P.S.- Murliganj, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Hirday Prasad Singh (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 12-08-2015 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is in custody since 16.11.2014 in connection with Murliganj P.S. Case No. 201 of 2014 registered for the offences punishable under Section 323, 341, 342, 307, 504/34 of the Indian Penal Code.

The prosecution case is that the occurrence has taken place at the door of the accused persons, where allegedly the injured Ajay Yadav was taken by the accused persons after capturing him from the road while he was going to purchase medicine for his ailing horse from Kolhaipatti. Initially, this case was registered against the petitioner and 3 other accused persons u/s 323, 341, 342, 307, 504, 34 of the IPC, but after investigation,

the case has been found true u/s 326 IPC against the petitioner and other accused persons. The statement of injured Ajay Yadav shows that this petitioner and Ashok Yadav jointly pierced Kachiya (sharp cut weapon) into his both eyes in the course of said assault being made by the accused persons and thereby damaged his both eyes. The Injury Report available in the Case Diary shows that as a result of said assault the injured has become completely blind.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent and there is no eye witness but as per the injury report, it is evident that as a result of the said assault the injured Ajay Yadav has become completely blind.

Under such circumstances, I am not inclined to grant the privilege of bail to the petitioner and it is accordingly, rejected.

However, the petitioner may renew his prayer for bail after six months.

(Nilu Agrawal, J)

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