

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6800 of 2015

Arising Out of PS.Case No. -329 Year- 2014 Thana -MAHARAJGANJ District- SIWAN

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1. Sukhal Yadav Son of-Late Moti Lal Yadav Resident of-Barka Teghra,
P.S.-Maharajganj, Dist.-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar, Advocate.

For the Opposite Party/s : Mr. Indu Kumari Srivastava(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 25-03-2015 Heard both sides.

The petitioner seeks bail in Maharajganj P.S. Case No.
329 of 2014, registered for the offences punishable under Section
307 and other Sections of the Indian Penal Code.

The informant made specific allegation against the
petitioner that he assaulted with iron rod on the head of his brother
Munilal Yadav. Kanhaiya Yadav is alleged to have assaulted
Munilal Yadav on head with Pharsa. Ajay Yadav assaulted
Munilal Yadav with butt of a country made pistol on his jaw.
Ramjit Yadav also assaulted Munilal Yadav with bricks on his
head and hands.

Learned counsel for the petitioner submits that three
persons are alleged to have assaulted Munilal Yadav on his head.

There is no repetition of blow. There is a counter version bearing Maharajganj P.S. Case No. 339 of 2014 in which Kanhaiya Yadav and others have got firearm injury.

It appears that Kanhaiya Yadav and the petitioner are alleged to have assaulted Munilal Yadav with Pharsa on his head and with iron rod. From perusal of the injury report, it appears that Munilal Yadav got as many as four injuries on his head and in X-ray report the injuries were found to be grievous.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

However, the petitioner may renew his prayer for bail after remaining nine months in jail.

(Prabhat Kumar Jha, J.)

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