

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14717 of 2016

Arising Out of PS.Case No. -85 Year- 2015 Thana -KHIJARSARAI District- GAYA

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1. Mahendra Yadav Son of Late Deo Nath Yadav Resident of village -
Maksudpur Tola Raniganj, P.S. Khijar Sarai, District - Gaya

.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr. Sucheta Yadav(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 16-05-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Khijarsarai
P.S. Case No. 85 of 2015 registered for the offences punishable
under Sections 47, 341, 323, 324, 307 and 302/34 of the Indian
Penal Code.

The allegation against the petitioner is that he assaulted
Binod Yadav the father of the informant with sword on his head
and when Buthani Ram came to save him the petitioner assaulted
him also. Binod Yadav the father of the informant succumbed to
the injury.

Submission is of false implication and that during post
mortem examination besides head injury other injuries have also
been found, other co-accused namely, Reeta Devi and Andhi

Yadav have been allowed bail, the petitioner has clean antecedent and is suffering in custody since 16.04.2015 and as such he deserves sympathetic consideration to which learned APP opposes by submitting that the petitioner is the assailant and during post mortem also it was found that death was due to shock and hemorrhage as a result of injury on head.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, considering the period of detention, let the trial be expedited and concluded as early as possible, preferably within nine months from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J)

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