

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25943 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -ITADHI District- BUXAR

Daya Shankar Upadhyay, son of Badri Narayan Upadhyay, Reesident of
Village- Manoharpur, P.S- Itarhi, District- Buxar, Bihar.

..... Petitioner/s
Versus
The State of Bihar

..... Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Sudha Chandra
For the Opposite Party/s : Mr. Sadanand Paswan(Spl. App)
CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 12-07-2016 Heard the counsel for the petitioner and the State.

The petitioner is cited as an accused of Itarhi P.S. Case No. 19 of 2016 registered under section 302 IPC and section 3(ii) (v) of the SC/ST Act. The informant lodged the case that while the crop was being processed, the petitioner was driving a tractor and intentionally ran over her mother causing her death.

It is submitted that the police found it a case under section 304 IPC. Witnesses have not fully supported the prosecution case. .

Learned APP opposes the prayer contending that looking to the FIR, the petitioner is the prime accused.

Considering the facts and circumstances of the case, the prayer for anticipatory bail on behalf of the petitioner is rejected.

(Kishore Kumar Mandal, J)

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