

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4614 of 2016

Arising Out of PS.Case No. -173 Year- 2015 Thana -GURUA District- GAYA

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1. Umesh Yadav son of Deo Ratan Yadav Resident of Village- Akohara,
P.S.- Gurua, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar

For the Opposite Party/s : Mr. M. Rab (App)

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

3 29-03-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with Gurua
P.S. Case No. 173 of 2015 registered for the offences
punishable under Sections 341, 323, 338, 447, 307 and 302/34
of the Indian Penal Code.

Allegedly, co-accused Seth Yadav assaulted the
father of the informant with Khanti on his head, Kapil Yadav
assaulted with Rama, Gudiya Devi assaulted with brick and the
petitioner assaulted with Tangi resulting the father of the
informant became unconscious and fell down and during
treatment at Gaya the father of the informant died.

Submission is of false implication and that against

the petitioner, there is no specific allegation, specific allegation is against co-accused Seth Yadav for assaulting with Khanti on the head. Admittedly, there is land dispute, the occurrence took place at the spur of the moment, and as such, the petitioner is suffering in custody since 02.10.2015, deserves sympathetic consideration, to which the learned APP opposes by submitting that the petitioner has assaulted the father of the informant with Tangi.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Gurua P.S. Case No. 173 of 2015 pending in the court of learned Additional Chief Judicial Magistrate, Sheghati, District-Gaya.

However, considering the detention of the petitioner, let the trial be expedited and concluded within a period of nine months.

(Jitendra Mohan Sharma, J)

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