

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50301 of 2015

Arising Out of PS.Case No. -48 Year- 2015 Thana -SISWAN District- SIWAN

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1. Krishna Yadav S/o Raj Narayan Yadav Resident of village - Noniya Patti, P.S. Siswan, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha

For the Opposite Party/s : Mr. Sanjay Kumar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 26-02-2016 Heard the learned counsel for the petitioner, the learned A.P.P for the State as also the learned counsel for the Informant.

The petitioner seeks bail in a case for the offences punishable under sections 302 and 34 of the I.P.C

Allegedly, co-accused Dinesh Sahi caught the collar of Pappu Yadav, the nephew of the informant, and the petitioner stabbed Pappu Yadav in his right thigh resulting he became injured and blood started oozing. During treatment Pappu Yadav died in Referral Hospital, Siswan.

Submission is of false implication and that the manner of occurrence as alleged by the informant is not the true version, during investigation the independent witnesses have stated

otherwise, the petitioner is suffering in custody since 26.06.2015 having no criminal antecedent and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioner is the assailant and during postmortem the said injury was found by the doctor and the cause of death has been found due to massive haemorrhage from that wound.

In the facts and circumstances as stated above, considering that the petitioner is the assailant and as such at this stage this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Siswan P.S. Case No. 48 of 2015/ G.R. No. 1497 of 2015 pending in the court of C.J.M. Siwan.

(Jitendra Mohan Sharma, J)

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