

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54420 of 2015

Arising Out of PS.Case No. -352 Year- 2014 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Mahendra Yadav S/o Late Karu Yadav R/v - Durgapur, P.S. Giriyak, Distt.
- Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. L.K.Sharma(App)

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

ORAL ORDER

3 22-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Giriyak
(Pawapuri) P.S. Case No. 352 of 2014 registered for the offence
punishable under Sections 302/34 of the Indian Penal Code.

Allegedly, in the occurrence co-accused Chintu
Kumar and Dukhi Yadav caught hold the husband of the
informant and petitioner assaulted with brick on his face resulting
he fell down and bleeding started from his nose and he died.

Submission is of false implication and that the
informant in petition filed before Dy.S.P. which is mentioned in
paragraph 103 of the case diary has not stated specifically that the

petitioner assaulted the husband of the informant and two other co-accused Chintu Kumar and Dukhi Yadav have already been allowed bail and the petitioner who is suffering in custody since 04.05.2015 deserves sympathetic consideration to which the learned APP duly assisted by learned counsel for the informant opposes by submitting that the informant in her further statement stated the same version vide paragraph 6 of the case diary and the petitioner is the assailant.

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

(Jitendra Mohan Sharma, J)

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