

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5670 of 2017

Arising Out of PS.Case No. -263 Year- 2016 Thana -JAMUI District- JAMUI

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Sudhir Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 27-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Jamui P.S. Case No. 263 of 2016 instituted for the offence under Section 302/34 of the Indian Penal Code.

It is alleged in the written report that this petitioner along with other accused persons as named in the F.I.R. took the son of the informant in the house of Subal Yadav and brutally assaulted him with iron rod, knife etc.

It is also alleged that one of the accused namely Ranjeet Yadav pulled the nail of the son of the informant from one of the finger of leg. The informant tried to save his son then he was pushed down. The informant took his son to Sadar Hospital, Jamui where he died in course of treatment.

Case diary has been received.



Learned counsels for the informant and State have pointed out that the witnesses in paras 7, 8, 11, 12 and 13 have supported the case of prosecution levelling allegation against this petitioner.

The post-mortem report is available in the case diary which shows several injuries on the person of the deceased.

Learned counsel for the informant submitted that bail of other co-accused with similar allegation has already been rejected by a coordinate Bench of this court vide order dated 09.12.2016 passed in Cr. Misc. No. 49610 of 2016.

In such circumstances, looking into the nature of allegation and the injury found in the post-mortem report as well as statement of the witnesses in the case diary, this court does not find it a fit case for grant of bail. Accordingly, the prayer for bail of the petitioner is rejected.

(Sanjay Priya, J)

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