

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33645 of 2017

Arising Out of PS.Case No. -98 Year- 2015 Thana -PARWATTA District- KHAGARIA

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1. Babbar Yadav, son of Late Shambhu Yadav, resident of Village- Araria,
Police Station- Parbatta (Maraiya), District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh
For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare
For informant : Mr. Harekrishna Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-08-2017 The petitioner seeks regular bail in connection with

Parbatta (Maraiya) P.S. Case No. 98 of 2015, registered for

offences punishable under Sections 302/34 of Indian Penal Code.

Allegation against the petitioner as per F.I.R is that he

caught hold of the deceased allowing other co-accused of this case

to stab the deceased.

It has been submitted on behalf of the petitioner that only

allegation against the petitioner that he caught hold of the

deceased and further there is no allegation of assault or stabbing

the deceased. It has also been submitted that Dy. S.P. in his

supervision note as well as the Investigation Officer has also

doubted the role of the petitioner in the alleged offence and further

one witness in para -5 has stated that he has gone at the place of



occurrence but the name of the petitioner was not disclosed there.

Learned counsel for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that if the petitioner had not caught hold of the deceased, she might have saved herself.

Having heard both sides, considering the fact and circumstances of the case and the nature of allegation, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly, rejected.

However, the petitioner may renew his prayer for bail after framing of charge in this case.

(Vinod Kumar Sinha, J)

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