

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51706 of 2016

Arising Out of PS.Case No. -110 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

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Raben Yadav @ Rabindra Yadav, Son of Late Bindeshwari Yadav,
Resident of village- Gangapur, Ward No. 9, P.S.- Murliganj, District-
Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

4 27-01-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Murliganj
P.S. Case No.110 of 2016 registered under Sections 147, 148, 149,
341, 323, 307, 302 and 504 of the Indian Penal Code, pending in
the court of the Chief Judicial Magistrate, Madhepura.

The accusation is that on 09.04.2016, in the morning at
about 05.00 A.M., Gauri Devi, the wife of the informant Mogal
Yadav, was cleaning the house. At that time, due to land dispute,
the petitioner while abusing reached there and caused blood
oozing injury on her head through Dabia. Thereafter, Suchit
Yadav, Sakuni Devi, Santosh Kumar, Anil Yadav and Manesh



Kumar assaulted the wife of the informant, as a result of which she became unconscious. When the informant rushed to save his wife, he and his son were also assaulted by them. The wife of the informant was rushed to Murli Government School for treatment from where she was referred to Sadar Hospital, Madhepura and from where she was referred to Gayatri Nursing Home, Saharsa, and as there was no improvement in the condition of the wife of the informant there, she was referred to P.M.C.H., Patna, but she died on the way.

Learned counsel appearing on behalf of the petitioner submits that, in fact, due to land dispute, the occurrence of “Maar-Peet” took place between the parties in which the petitioner’s side also sustained injury.

On the other hand, learned A.P.P. for the State opposed the prayer of the petitioner for bail and submits that there is specific allegation against the petitioner to cause injury at the head of the wife of the informant through Dabia and in the post-mortem report of the deceased, the wife of the informant, the cause of her death has been shown due to head injury caused by hard and blunt substance.

Having regard to the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant bail to



the petitioner. Accordingly, the prayer of the petitioner for grant
of bail stands rejected.

(Rajendra Kumar Mishra, J)

P.S./-

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