

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30201 of 2017

Arising Out of PS.Case No. -161 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

=====

Amar Yadav, Son of Ramjee Yadav, Resident of Village- Dumri Mahanwa,
P.s.- Majhaulia, District West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

4 17-11-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Majhaulia
P.S. Case No. 161 of 2016, registered under Sections 147, 148,
149, 323, 341, 324, 307, 302 and 504 of the Indian Penal Code,
pending in the court of Chief Judicial Magistrate, Bettiah, West
Champaran.

The accusation is that on 06.06.2016, in the midday,
Bharat Yadav, son of the informant, was present near the house of
his neighbour, Manager Yadav, then due to some dispute in
between two families, five persons named in the F.I.R. including
the petitioner having Bhala and Katta reached there. At that time,
Madan Yadav gave Bhala blow at the chest of his son, Bharat



Yadav, whereas this petitioner also gave Bhala blow and other accused persons caused injury through lathi. Thereafter, his nephew, Singhasan Singh and daughter-in-law, Babita Devi, rushed to save him then they were also assaulted. Thereafter, his son, Bharat Singh, rushed to M.J.K. Hospital, Betiah, from there, he was referred to P.M.C.H., Patna, where he died in course of treatment.

Learned counsel for the petitioner submits while the petitioner is named in the F.I.R. with allegation of causing injury deceased, Bharat Yadav, son of the informant, through Bhala, but it is not detailed in the F.I.R. on which part injury was sustained by the deceased, Bharat Yadav. It is further submitted that informant has stated in his re-statement about causing Bhala injury at the stomach of deceased, Bharat Yadav, by this petitioner. Further submission is that petitioner has no criminal antecedent and he is in custody since 23.05.2017. Co-accused, Anand Yadav, Mahendra Yadav and Dinesh Yadav, against whom allegation is of causing injury to deceased through lathi, have already been granted privilege of bail by this Court vide orders dated 12.05.2017, 01.05.2017 and 04.10.2016 passed in Criminal Misc. Nos. 22566 of 2017, 11383 of 2017 and 42647 of 2017 respectively.



In Post-mortem report, two stitched wound caused by sharp cutting weapon were found on the dead body.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, his prayer for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

