

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57161 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -MUNGER MUFFASIL District- MUNGER

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Naresh Yadav S/o Rajendra Yadav, R/o Village- Sitakund Dih, P.S.-
Muffasil, District- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rekha Prasad

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 16-01-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Munger Muffasil
PS Case No. 5 of 2017 registered under Sections 147, 149, 323, 307,
302, 379 and 504 of the IPC.

Learned Counsel for the petitioner submits that the FIR was
lodged after one day delay without any explanation and the
allegation is that this petitioner and one Rajendra Yadav assaulted
with spade over head of the informant's father, however, there is
only one injury contusion was found on the head of the deceased.
Similarly situated co-accused Rajendra Yadav has been admitted to
anticipatory bail by a coordinate Bench of this Court and the
petitioner is in custody since 26.7.2017. He has been implicated only
because of land dispute.

Learned Counsel for the State submits that in the statement
the witnesses made specific allegation of assault by this petitioner on
the head.

Since there is specific allegation against the petitioner of
assaulting over the head causing death of the deceased, so his prayer
for bail at present is rejected.



The trial court is directed to expedite the trial after framing of the charge and preferably conclude the same within a year.

(Arun Kumar, J.)

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