

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39159 of 2018

Arising Out of PS.Case No. -64 Year- 2018 Thana -RANIGANJ District- ARRARIA

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Suman Kumar Yadav @ Suman Kumar, Son of Ramanand Yadav, resident
of Village- Kupari, Police Station- Raniganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 24-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Raniganj P.S. Case No.64 of 2018 registered for the offences
punishable under Sections 304/34 of the Indian Penal Code.

This case has been registered on the report of
Chowkidar. It is alleged that this petitioner and two others
assaulted the victim as a result of which she died.

It has been submitted that the allegation of assault is
omnibus. The doctor who conducted autopsy has reported cause
of death due to asphyxia as a result of throttling. The doctor has
further reported three injuries which are abrasion and bruises on
her elbow and so no offence under section 304/B of the I.P.C. is



made out. The petitioner is in custody since 20.02.2018 having clean antecedent and so he deserves bail.

The learned A.P.P. for the State opposed the submission.

From perusal of F.I.R. and case-diary, it appears that the petitioner is named in the F.I.R. with specific allegation that he brutally assaulted the victim by fists and slaps as a result of which she died on the spot. In course of investigation, the witnesses have stated that on account of assault she started bleeding. The operation part of her stomach burst and she started bleeding and died on the spot.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer of bail is accordingly rejected.

(Sanjay Kumar, J)

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