

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28187 of 2018

Arising Out of PS.Case No. -1 Year- 2018 Thana -DHIBRA District- AURANGABAD

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Uday Yadav, S/o Mukhdeo Yadav, Resident of Village - Golha Tola,
Ghurandih, P.S. - Dhibra, District - Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jitendra Kumar Giri, Advocate
For the O.P. No. 2 : Mr. Birendra Kumar Singh, Advocate
For the State : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 16-07-2018 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 342, 325, 307, 504,
506 and 302 of the Indian Penal Code.

There is allegation against the five named person
including the petitioner to have assaulted with lathi etc. to the
informant and Sikeswar Yadav as a result whereof he died during
course of treatment. The Doctor has found multiple head injury on
Sikeswar Yadav which was cause of death.

Submission is that the petitioner is in custody
since 12.01.2018. Allegation is not specific and the circumstances
under which the occurrence took place would not show that the
petitioner was having intention to commit murder.



The case diary would reveal that other eye-witnesses have also supported the allegation.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail at this stage in connection with Dhibra Police Station Case No. 01 of 2018 pending in the court of learned Chief Judicial Magistrate, Aurangabad/successor court.

Hence, prayer for bail is refused.

The petitioner would be at liberty to renew the prayer for bail after framing of the charge or after completion of six months of custody from today.

(Birendra Kumar, J)

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