

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67193 of 2018

Arising Out of PS. Case No.-89 Year-2018 Thana- BARHIYA District- Lakhisarai

Shankar Yadav @ Saheb Yadav, S/o Mishri Yadav, Resident of Village-Tajpur, P.S.- Barahiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Barahiya P.S. Case No. 89 of 2018** pending in the Court of learned **Chief Judicial Magistrate, Lakhisarai** instituted for the offence under Section(s) 302/34 Indian Penal Code.

In the written report it is alleged that when informant along with his elder brother Ashok Yadav was returning after plucking vegetable from the field of Badri Babu, he received information that his younger brother has been brutally assaulted in the house. He reached home and found his brother Gautam Yadav injured. He enquired from him. He told the informant that petitioner has assaulted him with iron rod causing injury to him. He also misbehaved with his *Bhabhi* and when he raised



objection, he assaulted him. Thereafter, his brother became unconscious and was taken to Begusarai Hospital, but he died on the way.

Case diary has been received.

Counsel for the petitioner submits that in the post mortem report the Doctor has mentioned fracture of frontal bone of skull and abrasion on back of left shoulder.

Learned A.P.P. after looking into the case diary submits that all the witnesses have stated that petitioner has assaulted the deceased. In the post mortem report the Doctor has found fracture on frontal bone of skull.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer for bail of the petitioner stands rejected.

The trial court is directed to expedite the trial.

(Sanjay Priya, J)

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