

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55698 of 2018

Arising Out of PS. Case No.-61 Year-2018 Thana- ARA NAGAR District- Bhojpur

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1. Vivekanand Yadav, S/o Mohan Yadav,
 2. Rahul Yadav S/o Santu Yadav, Both R/o Vill.- Balbatra, P.S.- Ara Nagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Nath Sinha

For the Opposite Party/s : Mr. Sri Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-10-2018 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in Ara Nagar P. S. Case No. 61 of 2018 instituted for the offence under Section(s) 302/34 of the IPC and Section 27 of the Arms Act.

There is specific allegation against these petitioners that they along with other accused persons after tying the brother of the informant with rope have assaulted brutally with iron rod and lathi on account of which he became unconscious. Thereafter, both the accused persons gave order to kill him then one of the co accused, namely, Prahlad Yadav fired on the brother of the informant which hit in his left hand. The brother of the informant was brought to the hospital but he



died while he was being taken to hospital.

Case diary has been received wherein the postmortem report is available which shows that brother of the informant has sustained as many as five injuries out of which one injury is of firearm and other four injuries were fracture of lower end of left arm, lacerated wound over scalp, abrasions over left side of chest and lacerated wound at many places over upper portion of back. Therefore, it appears that brother of the informant was brutally assaulted by the accused persons.

In such circumstances, this Court is not inclined to grant bail to the petitioners at this stage. The prayer for bail of the petitioners stands rejected.

Petitioners may renew prayer for bail after six months if no substantial progress is made in the trial.

(Sanjay Priya, J)

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