IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28198 of 2019

Arising Out of PS. Case No.-373 Year-2018 Thana- MANJHAGARH District- Gopalganj

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SATYENDRA KUMAR @ SATYENDRA YADAV @ SATENDRA YADAV Son of Lal Babu Yadav Resident of Village- Bhaisahi Tola Kodar, P.S.- Manjhagarh, District- Gopalganj.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Vipin Kumar Singh
For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL ORDER

4 21-08-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is accused in connection with Manjhagarh P.S. Case No. 373 of 2018 registered under sections 147, 148, 149, 323, 324, 307, 504 and 302 of the I.P.C. pending in the Court of C.J.M., Gopalganj.

Submission of learned counsel for the petitioner is that petitioner is innocent and has falsely been implicated in the present case due to land dispute. Further submission is that petitioner has no criminal antecedent and he is in custody since 03.12.2018.

Learned A.P.P. appearing on behalf of the State opposed the prayer of the petitioner by contending that it would

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appear from the F.I.R. itself that there is direct allegation against the petitioner of assault by means of *sword* on the head of the brother of the informant with intention to kill, as a result of which, he died in course of treatment in the Hospital. Hence, the petitioner does not deserve privilege of bail.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

(Arvind Srivastava, J)

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