

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36296 of 2019

Arising Out of PS. Case No.-676 Year-2018 Thana- NATHNAGAR District- Bhagalpur

Fuchcho Yadav aged about 40 years, (Male) Son of Rashu Yadav, Resident of
Village - Raghapur Tikar, P.S.- Madhusudanpur, District - Bhagalpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Brij Nandad Prasad, Advocate
For the Opposite Party : Mr.Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-06-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is in custody since 07.11.2018 in connection with Nathnagar (Madhusudanpur) P.S. Case No. 676 of 2018 for the offences alleged under Sections 147, 148, 149 and 302 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and in any event, according to the first information report, no overt act has been attributed to the petitioner who is merely said to have accompanied the co-accused persons. The main assailant of the case is accused Lagga Yadav, who gave knife blow to the informant's son Bachchu Yadav (deceased). The petitioner claims clean antecedents.

4. Learned APP for the State, on the other hand, invites reference to the order of the Additional District & Sessions Judge V, Bhagalpur dated 07.01.2019 wherein paragraphs 5 and 20 of the case diary have been noticed, containing the statements of the witnesses including the injured Rakesh Kumar Yadav who have named the petitioner as having accompanied the assailants.



5. Having regard to the nature of accusations and gravity of the offence alleged, this Court is not inclined to grant privilege of bail to the petitioner. The bail petition stands dismissed.

(Vikash Jain, J)

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