

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 56120 of 2019

Arising Out of PS Case No.-363 Year-2019 Thana- BAGAHA District- West Champaran

Indalsen Yadav @ Indrakesh Raj, aged about 19 years (Male), Son of Naresh Yadav Resident of Shastri Nagar, Ward No.13, P.S.-Bagaha (Pathkhauli), District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Radha Mohan Pathak, Advocate
For the State	:	Mr. Md. Arif and Mr. Jharkhandi Upadhyay, APPs

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 18-12-2019

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bagaha (Pathkhauli) PS Case No. 363 of 2019 dated 29.06.2019 instituted under Sections 302 and 120/34 of the Indian Penal Code.

3. The allegation against the petitioner, another co-accused and 3-4 unknown is of killing the son of the informant.

4. Learned counsel for the petitioner submitted that it was the other named co-accused, who had called the son of the informant and the petitioner was not seen by him. It was further



submitted that the petitioner having no criminal antecedent is in custody since 05.07.2019.

5. Learned APP, from the case diary, submitted that the petitioner is the main assailant as one eye witness Vinod Kumar Gupta has stated that the petitioner had taken out knife from his pocket and had repeatedly stabbed the deceased. It was submitted that such allegation is corroborated by the postmortem report.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

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