

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75112 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- GAUNAHA District- West Champaran

PRADEEP YADAV Son of Sri Binod Yadav Resident of Village- More
Belwa, P.S.- Gaunaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-11-2019 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Gaunaha P.S. Case No. 68 of 2019 registered for the offence punishable under Sections 447, 341, 323, 307, 385 and 302/34 of the Indian Penal Code.

The allegation, according to the informant, is that on 20.6.2019 at about 7:00 AM in the morning, he was sitting along with his wife in his house and upon hearing alarm, the wife of the informant had gone at the door of the house of her son-in-law, namely, Kamlesh Sah, whereafter the informant had also arrived there. It is further alleged that the informant's daughter was sitting at the shop of his son-in-law where argument was going on with the petitioner herein and then the other accused



persons had also arrived there and all of them had started assaulting the grandson of the informant namely, Nipu Kumar with lathi whereafter, the wife of the informant had gone there to rescue the said Nipu Kumar whereupon, the petitioner herein had assaulted her with lathi on her breast and injured her grievously. The wife of the informant had then fallen down and become unconscious as well as blood was oozing out from her mouth and when she was taken to the hospital, she was declared as brought dead.

The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case inasmuch as the deceased victim lady had died on account of natural death. The petitioner is stated to be having a clean antecedent.

I have heard the learned counsel for the parties and perused the materials on record from which it transpires that the allegation of having assaulted the wife of the informant is upon the petitioner herein and the wife of the informant is stated to have succumbed to her injuries and she was declared as brought dead at the hospital, hence, the hand of the petitioner in the alleged incident is writ large from the records of the case, thus, the present case is not a fit case, where the prayer of the



petitioner for grant of anticipatory bail deserves to be considered, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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