

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26660 of 2020**

Arising Out of PS. Case No.-549 Year-2019 Thana- JAHANABAD District- Jehanabad

1. Pawan Yadav, Son of Ramkrit Yadav @ Krit Lal Prasad, Resident of Village - Raghunathpur, P.S. - O.P. Karauna, District - Jehanabad.
2. Angad Yadav @ Lakhan Lal, Son of Ramkrit Yadav @ Krit Lal Prasad, Resident of Village - Raghunathpur, P.S. - O.P. Karauna, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rakesh Kumar Sharma, Advocate  
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      08-12-2020                      Heard learned counsel for the parties through video conferencing.

Petitioners seek bail in a case registered for the offence punishable under Sections 147, 148, 149, 302, 379 and 506 of Indian Penal Code.

As per the prosecution case, on 14.07.2019, the husband of the informant was called by co-accused, Uttam Yadav, Uday Yadav, Albela Yadav and Mani Yadav, who took the informant's husband in their Scorpio car near rice mill and these petitioners along with other 5 named accused persons are alleged to have assaulted the husband of the informant mercilessly, as a result of which he died.

It is submitted on behalf of the petitioners that no such



occurrence has taken place as directed in the F.I.R., in fact, the deceased was victim of mob lynching. There is general and omnibus allegation. It is further submitted that co-accused Uttam Yadav has already been granted bail by this Hon'ble Court vide Criminal Misc. No. 26593 of 2020. Petitioners are in custody since 07.03.2020 and charge-sheet has already been submitted. Petitioners have clean antecedent as stated in paragraph no.3 of the petition.

However, learned A.P.P. for State has vehemently opposed the prayer for bail and submits that there is direct and specific allegation that these petitioners along with other accused persons named in the F.I.R. assaulted the deceased as a result of which he died. He further submitted that the bail application of co-accused Uday Yadav @ Uday Singh has already been rejected by this Hon'ble Court vide Criminal Misc. No. 14153 of 2020 dated 10.06.2020. So far as, the case of co-accused, Uttam Yadav, is concerned, his case is distinguishable from the case of the petitioners on the fact that Uttam Yadav is only alleged to have called the husband of the informant and there is no allegation of assault against him whereas, in the case of the petitioners, there is specific allegation of assault.

Considering the aforesaid facts and circumstances of



the case and the fact that there is allegation of assault against the petitioners, I am not inclined to grant bail to the petitioners.

Hence, the prayer for regular bail of the petitioners is rejected.

**(Prabhat Kumar Singh, J)**

Ankit/-

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