

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49353 of 2019

Arising Out of PS. Case No.-652 Year-2017 Thana- ARARIA District- Araria

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RUPESH YADAV @ RUPO YADAV @ RUPEN YADAV Son of Late
Kumman Yadav Resident of Village - Mahishakol, Ward No. 6, P.S.- Araria,
District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Advocate.

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 21-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 341, 323, 324, 326, 307 and
302 of the Indian Penal Code.

According to the F.I.R., petitioner gave dagger blow
to Upendra Yadav (husband of the informant and brother of the
petitioner). As a result whereof, Upendra Yadav died. Post
mortem report corroborates the allegation. During the same
occurrence, petitioner assaulted to his elder brother Bipin Yadav
who was hospitalized at the time of F.I.R. Bipin Yadav has also
supported the prosecution case as alleged in the F.I.R. Besides
Bipin Yadav, some other eye witnesses have also supported the



allegation before the police.

Considering the entire facts and nature of allegation against the petitioner, I am not inclined to enlarge him on bail in connection with S.T. No. 16 of 2018 arising out of Araria P.S. Case No. 652 of 2017 pending in the Court of learned 5th Additional District and Sessions Judge, Araria.

Prayer for bail of the petitioner is refused.

Petitioner is in custody since 16.09.2017. Trial is going on. Learned trial Judge is directed to expedite the trial of S.T. No. 16 of 2018 arising out of Araria P.S. Case No. 652 of 2017.

(Birendra Kumar, J)

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