

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67545 of 2019

Arising Out of PS. Case No.-266 Year-2018 Thana- BHANGWANPUR HAT District- Siwan

Jitendra Prasad @ Jitendra Yadav Son of Krishna Prasad Resident of Village-
Shankarpur Tola, P.S.-Bhagwanpur Hat, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-01-2020 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Bhagwanpur Hat P.S.**

Case No. 266 of 2018, registered for the offence punishable
under Sections 341, 323, 307, 302 and 34 of the Indian Penal
Code.

The gist of the prosecution case is that on 11.12.2018
at about 9.00 am, while the informant, her father-in-law,
brother-in-law (Dewar), cousin father-in-law were working at
her field, all the accused persons including this petitioner
variously armed came there and started assaulting her father-in-
law, when the informant along with others came to save him,
the accused persons also assaulted them. As a result of assault,
father-in-law sustained head injury, later on, during course of
treatment he succumbed to the injury.



It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case. There is general and omnibus allegation against this petitioner. There is land dispute between the parties. Petitioner is in custody since 30.03.2019 having clean antecedent.

On the other hand, counsel for the informant vehemently opposed the prayer for bail and submitted that there is specific allegation against this petitioner and two other accused persons and they brutally assaulted the deceased. Injury report is also corroborated by the prosecution case. Anticipatory bail application of two accused has also been rejected by this court.

Considering the facts aforesaid and nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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