

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81330 of 2019

Arising Out of PS. Case No.-115 Year-2018 Thana- PARAIYA District- Gaya

SANTOSH YADAV, Son of Surendra Yadav Resident of Village-Bishunpur,
P.S.- Paraiya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar, Advocate.

For the Opposite Party/s : Mr.Ashraf Ansari, App

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 20-03-2020 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, 307, 385 and 379 of the Indian Penal Code.

Allegation against the petitioner is that he demanded ransom from the informant to allow him to plough the field and on refusal assaulted with fasuli, a sharp cutting weapon attempting at the neck, however injury was caused at the head. The doctor has found sharp cut wound on right side of head. According to opinion, the same was dangerous to life.

Learned counsel for the petitioner submits that the petitioner is in custody since 10.07.2019. Investigation of the case is already complete. In fact, there is dispute for the said



property since last several years with Janak Prasad, agnate of the petitioner.

However it does not appear that any civil proceeding has been initiated for redressal of the old grievance. Petitioner has got criminal antecedent said to be lodged by Janak Prasad. Petitioner has not produced any document to prove his claim over the said land.

Considering the entire facts, I am not inclined to enlarge the petitioner on bail for the present in connection with Paraiya P.S. Case No. 115 of 2018 pending in the Court of Chief Judicial Magistrate, Gaya.

Prayer for bail of the petitioner is refused.

If the trial is not concluded within six months from the date of receipt of a copy of this order, petitioner shall be at liberty to renew prayer for bail before the court below itself.

(Birendra Kumar, J)

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