

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35584 of 2021

Arising Out of PS. Case No.-162 Year-2019 Thana- KHAIRA District- Jamui

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TUNTUN YADAV Son of Wasuli Yadav @ Bindeshwari Yadav Resident of
Village - Chaukitand, P.S.- Khaira, District - Jamui- 811317.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-10-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Khaira Police
Station Case No. 162 of 2019 registered for the offences
punishable under sections 307/302/34 and other allied sections
of the Indian Penal Code.

As per the prosecution case, on 8.6.2019 while the
informant was going to his home, the petitioner and other
accused persons abused and assaulted him on account of which
he died during course of treatment in the hospital next day.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. There is general and omnibus allegation of assault against
all the accused persons and no specific overt has been alleged
against the petitioner. Petitioner is in custody since 21.12.2020.



It is further submitted that deceased sustained five injuries including four superficial in nature caused by hard and blunt substance.

Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner that he along with other accused persons abused and assaulted the informant who died during course of treatment in the hospital next day which has also been supported in the post mortem report. Petitioner has also got criminal antecedent.

Considering the rival submissions of the parties, materials available on the record and the nature of accusation against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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