

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2548 of 2021**

Arising Out of PS. Case No.-70 Year-2020 Thana- SANGRAMPUR District- East
Champaran

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HARENDRA YADAV Son of Jayshree Yadav Resident of Village - Utari
madhubani, P.S.- Sangrampur, Distt.- East Champaran.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Anil Kumar, Advocate
For the Respondent/s : Mr.A.G.

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

2 24-06-2021 Heard learned counsel for the appellant and learned
Special P.P. for the State.

The present appeal has been filed for setting aside the order dated 24.6.2020, passed by learned A.D.J.-I cum Special Judge, SC/ST Act, East Champaran at Motihari in Sangrampur Police Station Case No. 70 of 2020 registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Sections 3(2)(v) of SC/ST Act whereby the prayer for bail of appellant was rejected.

Earlier prayer for bail of the appellant was rejected by this Court vide order dated 20.10.2020 (Annexure 1). Learned counsel for the appellant submits that the informant is not the eye witness of the occurrence and both parties are agnate and



later on during course of investigation none of the independent witnesses have supported the occurrence.

However, learned Special P.P. has opposed the appeal and submitted that there is specific allegation in the FIR that the petitioner and Rajdeo Ram inflicted knife blow to the husband of the informant leading to his death.

Considering the rival submissions of the parties, materials available on the record and the fact that there is direct allegation in the FIR that the petitioner and Rajdeo Ram inflicted knife blow to the husband of the informant, I do not find any ground to interfere with the order of the learned court below and as such, the appeal, which has been filed for grant of bail, is hereby rejected.

(Prabhat Kumar Singh, J)

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