

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29994 of 2020

Arising Out of PS. Case No.-81 Year-2020 Thana- SAUR BAZAR District- Saharsa

1. RATAN YADAV Son of Late Madhukar Yadav Resident of Village- Sahuria Purvi, Ward No. 15, P.S.- Sourbazar, District- Saharsa.
2. Dev Narayan Yadav Son of Ramjee Yadav Resident of Village- Sahuria Purvi, Ward No. 15, P.S.- Sourbazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Sinha
For the Informant	:	Mr. Prateek Tandon
For the Opposite Party/s	:	Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-01-2021 Heard learned counsel for the petitioners and learned
A.P.P for the State.

The petitioners seek bail in Sourbazar P.S. Case No. 81 of 2020, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 354, 379, 504 and 506 of the Indian Penal Code. Later on, section 302 of the IPC was added.

As per the prosecution case, while the informant was at his Darwaja, all the accused persons including these petitioners variously armed came and assaulted the informant with lathi, danda, rod and Farsa. When informant's son and nephew came to save him, the accused persons also assaulted them. When informant's wife came to save, these petitioners along with others assaulted her on her head, thereafter, all



injured persons were brought to the hospital. Later on, informant's wife died during course of treatment.

There is case and counter case and allegation of assault is general and omnibus. As per postmortem report, only two injuries have found on the person of deceased, one is on the forearm and another injury on the forehead. Petitioners are in custody since 18.02.2020 having no criminal antecedent.

Counsel for the informant however, vehemently opposed the prayer for bail and submitted that in the aforesaid occurrence, four persons have sustained injuries and there is specific allegation against these petitioners of assaulting the deceased, as a result of which the deceased received multiple injuries and cause of death found to be head injury.

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

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

