

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35773 of 2020

Arising Out of PS. Case No.-355 Year-2019 Thana- SONO District- Jamui

LILO YADAV Son of Late Kesho Yadav Resident of Village- Bijaiya, P.S.-
Charkapathar, District- Jamui. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar
For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-03-2021 Heard the learned counsel for the petitioner and Ms.
Sangeeta Sharma, the learned APP for the State.

The petitioner seeks regular bail in connection with Sono (Charkapathar) PS case no. 355 of 2019 instituted for the offences punishable under Sections 341, 323, 307, 302, 504, 506/34 of Indian Penal Code.

The allegation is regarding the petitioner having assaulted the father of the informant by means of an axe on his head, resulting in him sustaining grievous injuries and subsequently, the same had resulted in the death of the father of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 07.01.2020. The learned counsel for the petitioner has further submitted that the incident has taken



place on account of previous land dispute existing in between the parties. It is also submitted that the petitioner is 70 years old and it is unbelievable that he has murdered the deceased. It is further submitted that the actual fact is that on account of the father of the informant having slipped, he sustained injuries, resulting in his death.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case diary, this Court finds that ample materials are available on record to suggest the complicity of the petitioner in the alleged crime and there is direct allegation on the petitioner of having assaulted the father of the informant by axe on his head resulting in him sustaining grievous injuries, leading to his death, hence I do not find any merit in the present petition, accordingly the same stands dismissed.

(Mohit Kumar Shah, J)

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