

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37875 of 2020

Arising Out of PS. Case No.-13 Year-2020 Thana- JIRADEI District- Siwan

Sandeep Yati, son of Laxmi Kant Yati, Resident of Village- Thepha Bazar,
P.S.- Ziradei, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey, Advocate

For the Opposite Party/s : Smt. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 25-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Ziradei
P.S. Case No.13 of 2020 for the offence punishable under
Sections 447, 323, 504, 341, 324, 325, 326, 307, 302/34 of the
Indian Penal Code, which is pending in the court of learned
ACJM-I, Siwan.

The informant has alleged that while he was sitting
in his shop along with his son, three accused persons, including
the petitioner, came and started abusing and assaulting them.
Subsequently, two other co-accused persons have caught hold of
the informant's son and it is alleged that the instant petitioner
has given a knife blow on his thigh, leading to his subsequent
death.



Petitioner's counsel submits that there is no motive assigned. In support of the prosecution case, the witnesses, who have been examined in course of investigation, have deposed about the occurrence, but their deposition is at variance in respect of the details regarding who assaulted the victim. There is no repeated blows and there is only a single digger blow on his thigh, which is not a vital part of the body. The petitioner is in custody since 21.05.2020.

Learned APP for the State has opposed the prayer for bail. He has submitted that the petitioner is alleged to be one who has given a vital blow. Knife blow has been corroborated and the victim has died due to such injury.

Considering the rival submissions, for the present, this Court is not inclined to allow the prayer. The same is rejected.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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