

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 39221 of 2020**

Arising Out of PS. Case No.-137 Year-2020 Thana- HUSSAINGANJ District- Siwan

AWADHESH YADAV Son of Ramashray Yadav Resident of Village - Parari,
P.S.- M. H. Nagar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr Md Matloob Rab, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 01-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Hussainganj (M H Nagar)
Police Station (for brevity *PS*) Case No 137 of 2020 instituted
for the offence punishable under Sections 341, 323, 307, 302,
504, 506/34 of Indian Penal Code.

The bone of contention is filling of earth work on the
land. The petitioner, along all the family members, has
assaulted the prosecution party leading to death of the
informant's father.

Petitioner's counsel submits that in the later part of
the narration of occurrence, the petitioner's name has been
mentioned. There is no specific assault attributed to the



petitioner and it is a case of false implication. The petitioner has no criminal antecedents.

Learned APP for the State has opposed the prayer for bail. It is submitted that the petitioner, along with all the family members, has assaulted the deceased. The death has been found to be on account of shock and haemorrhage due to at least five injuries, sustained by the deceased.

Having regard to the submissions advanced by the parties, this Court, for the present, is not inclined to grant bail to the petitioner. Prayer is rejected.

(Madhuresh Prasad, J)

M.E.H./-

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