

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5027 of 2021

Arising Out of PS. Case No.-16 Year-2020 Thana- BARHAT District- Jamui

DEBU YADAV @ LAL MOAHAN YADAV SON OF SRI GAJO YADAV
RESIDENT OF VILLAGE-KHAIRMA,P.S-JAMUI,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 : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 24-07-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in Barhat P.S.
Case no. 16/2020 registered for the offence punishable under
sections 364, 364A, 302 and 201/34 of the Indian Penal Code.

As per prosecution case, this petitioner along with three
FIR named accused persons assaulted the deceased with stone
as a result of which he died.

It is submitted on behalf of the petitioner that petitioner
has been falsely implicated in this case and there is no eye
witness to the occurrence. It is further submitted that general
and omnibus allegation has been levelled and no overt-act has
been alleged against this petitioner. It is also submitted that



cause of death has not been ascertained and viscera has been preserved. Petitioner is in custody since 25.01.2020.

However, learned counsel for the State opposed the prayer for bail and submitted that there is specific allegation of assault against this petitioner which has been supported by post mortem report where doctor has found multiple injuries on body of the deceased.

Considering the rival submissions and materials on record nature of allegation and gravity of offence, this bail application is rejected.

(Prabhat Kumar Singh, J)

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