

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6549 of 2021

Arising Out of PS. Case No.-171 Year-2020 Thana- PAKARIBARAW District- Nawada

RANJEET YADAV Son of Kailash Yadav Resident of Village- Budhouli,
P.S.- Pakribrawan, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302 and some other ancillary of the Indian Penal Code.

As per the prosecution case, on 31.05.2020 at about 1.00 PM when the husband of informant, Chandan Yadav @ Fekan Yadav, was in the house, all the FIR named accused persons, including this petitioner, came to the door of informant and started abusing and upon protest this petitioner along with Ajeet Yadav assaulted on the head of husband of informant with iron Axe as a result of which he became injured. Thereafter, other accused persons also assaulted him with Iron rod, Iron Khanti as a result of which he sustained injuries and died during the course of treatment. The accused persons also assaulted father-in-law and cousin father-in-law of the informant as a result of which they also sustained injuries.



Learned counsel appearing for the petitioner submits that the petitioner is alleged to have assaulted the husband of informant with sharp edge weapon but no sharp cut injury was found on the person of deceased rather the injury is found to have been caused by hard and blunt object. It is further submitted that there is general and omnibus allegation of assault against this petitioner. Petitioner is in custody since 22.06.2020.

Learned counsel appearing for the State opposes the prayer for bail and submits that there is direct and specific allegation against the petitioner that he assaulted the deceased with iron Axe as a result of which he sustained injuries and died during the course of treatment.

Considering the facts of the case, nature of allegation made against the petitioner and the fact that there is direct and specific allegation against the petitioner that he assaulted the deceased with iron Axe as a result of which he sustained injuries and died during the course of treatment, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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