

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9675 of 2021

Arising Out of PS. Case No.-5 Year-2020 Thana- ALOULI District- Khagaria

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Santosh Yadav Son Of Late Tilo Yadav Resident Of Vill Bhikhari Ghat, P.S.-
Alauli, District- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajit Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Alauli P.S. Case No. 5 of
2020, registered for the offence punishable under Sections 341,
302 and 34 of the Indian Penal Code and section 27 of the Arms
Act.

As per the prosecution case, this petitioner along with
co-accused assaulted the father of informant with lathi, danda
and it is further alleged that petitioner fired from threenut and
fled away, as a result of which, informant's father died during
course of treatment.



It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Informant is not the eye-witness of occurrence. Deceased died due to injury caused by cattle. Petitioner claims clean antecedent and he is in custody since 27.04.2020.

Learned APP however, vehemently opposed the prayer for bail and submitted that from postmortem report also suggest injury as alleged in the FIR on the person of deceased as the cause of death.

Considering the fact that there is direct and specific allegation of assault against this petitioner and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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