

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10905 of 2021

Arising Out of PS. Case No.-15 Year-2002 Thana- ADHAOURA District- Kaimur (Bhabua)

Binod Yadav S/o Hira Yadav @ Gauri Yadav, Resident of Village- Matiyaon,
P.S- Chutiya, Dist- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikalp, Adv.

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 16-08-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

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

The petitioner seeks bail in Adhaura P.S. Case No.15 of 2002, instituted for the offence under Sections 147, 148, 149, 341 and 302 of the Indian Penal Code and Section 17 of the C.L.A. Act.



It is alleged that the brother and the father of the informant were brutally assaulted with lathi, which resulted in their death.

Learned counsel for the petitioner submits that petitioner's implication is only on account of his criminal antecedents. The petitioner is innocent. The name of the petitioner has been mentioned in the F.I.R. only on suspicion.

Learned A.P.P. has assisted the Court with reference to the case-diary. It is submitted that the wife of the deceased has identified the petitioner. The other witnesses have also supported the occurrence in accordance with investigation. The petitioner has criminal antecedent and is in custody since 23.06.2020.

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

The trial court is directed to conclude the trial without any undue delay and unnecessary adjournments.

(Madhuresh Prasad, J)

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