

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.16108 of 2022**

Arising Out of PS. Case No.-384 Year-2020 Thana- CHOUTARWA District- West  
Champaran

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Nathu Yadav @ Nanhu Yadav S/o Banka Yadav R/o village- Pakri, P.S.-  
Chautarwa (Bathwaria), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mritunjay Kumar Sinha, Advocate  
For the Opposite Party/s : Mr. Lalan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

3      22-08-2022                      Let the defects, as pointed out by the office, be  
  
removed within four weeks of starting of Court proceeding in  
  
physical mode in normal course.

Heard learned counsel for the petitioner and learned  
  
APP for the State.

Petitioner seeks bail in a case registered for the  
  
offences punishable under Sections 328, 302, 34 of the Indian  
  
Penal Code.

As per prosecution case, in brief, is that the  
  
informant's husband, namely, Ramesh Patel was a shopkeeper  
  
of Public Distribution System. Accused petitioner along with  
  
other co-accused came to her house and told him to give his  
  
shop to them. On dated 04.09.2020 at about 3:00 P.M. accused



persons came to her house again and took her husband outside. On the same day, they brought her husband in unconscious condition and fled away from there instantly. Next day, in the morning informant took her husband to GMCH, Bettiah for treatment but doctor referred him to Gorakhpur for better treatment. At Gorakhpur her husband Ramesh Patel died during the course of treatment.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case only on the basis of suspicion. He further submits that there is no eye witness to the alleged occurrence and the co-accused namely Deena Nath Chaudhary has been granted bail by a Coordinate Bench of this Court vide order dated 25.03.2022 passed in Cr. Misc. No. 63067 of 2021 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 25.01.2022.

Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the allegation as alleged in the F.I.R. confirms the FSL report.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection



with Chautarwa (Bathwaria) P.S. Case No. 384 of 2020 pending  
in the Court of learned Additional Chief Judicial Magistrate 1<sup>st</sup>,  
Bagaha, West Champaran.

Prayer is refused.

**(Rajesh Kumar Verma, J)**

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