

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34259 of 2021

Arising Out of PS. Case No.-298 Year-2020 Thana- AMARPUR District- Banka

PRAMOD YADAV Son of Late Talo Yadav Resident of Village - Amjhar,
P.S.- Amarpur (Fullidumar), District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh, No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 10-03-2022 Heard Mr. Ajay Mukherjee, learned counsel for the
petitioner and Mr. Anil Kumar Singh, No.1, Additional Public
Prosecutor for the State.

Petitioner seeks regular bail in connection with
Amarpur (Fullidumar) PS Case No. 298/2020 registered for the
offence punishable under Sections 302/34 of the IPC and
Section 3/4 of the Explosive Act.

As per First Information Report, the petitioner hurled
bomb upon the husband of the informant due to which he
sustained injury in the stomach and died.

Learned counsel for the petitioner submits that the
petitioner is the brother of the deceased and from perusal of the
FIR, it would be evident that the genesis of occurrence is that
the mother of the petitioner had executed a sale deed in favour
of petitioner which was not to the liking of the husband of the



informant and it was the petitioner who was aggrieved and the motive shown in the FIR appears to be doubtful. He further submits that none of the eyewitnesses has supported the prosecution case.

On the other hand, learned counsel for the State, referring to the case diary and FIR, submits that the petitioner is the main assailant and the informant is an eyewitness and during course of investigation other witnesses have also corroborated the statement of the informant and from postmortem report, it appears that the injury upon the deceased was caused by the attack of bomb.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner is the main assailant and the informant is an eyewitness, I am not inclined to grant regular bail to the petitioner. The same is, hereby, dismissed.

However, if so advised, petitioner may renew his prayer for bail after two years from today, if the trial does not record any progress.

(Anil Kumar Sinha, J)

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