

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36749 of 2021**

Arising Out of PS. Case No.-123 Year-2017 Thana- MANER District- Patna

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YOGENDRA RAI Son of Late Banarsi Rai Resident of Village- Haladi Chapra  
Saat Anna, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Manoranjana Kumar, Adv

For the Opposite Party/s : Mr.A.P.P.

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

4      09-03-2022                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner seeks bail in connection with Maner  
P.S.Case No.123 of 2017 registered for the offence under  
Sections 302 and 34 of IPC.

In the background of dispute on account of plucking  
of maize pit of informant for which he scolded, on the alleged  
date and time of occurrence accused so named therein armed  
variously came out of whom, Santosh Kumar and Lal Saheb Rai  
caught hold Mitendu Kumar, son of informant and Yogendra Rai  
inflicted repeated chura blow. As a result of which he died.  
When informant tried to intervene, they caught hold him. At that  
very time, Rajendra Rai had provoked others to assault as well  
as to set ablaze the hut (cow shed).



Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that in fact the informant is not an eye witness of the occurrence. He further submits that as per allegation as alleged in the FIR that the petitioner assaulted the son of the informant and he died.

Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner on the ground that the direct allegation of assault is there against the petitioner and the postmortem report also corroborated the allegation.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Maner P.S.Case No.123 of 2017 pending in the court of learned J.M. 1<sup>st</sup> Class, Danapur, Patna.

Prayer is refused.

However, the learned Trial Court is directed to expedite the trial.

**(Rajesh Kumar Verma, J)**

Nitesh/-

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