

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40718 of 2021

Arising Out of PS. Case No.-191 Year-2020 Thana- LAUKAHA District- Madhubani

BRAHAMDEV YADAV @ BRAHMDEV YADAV Son of Late Bangailu
Yadav Resident of Village - Dharampur, P.S. - Laukaha, District - Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr.Adv.
	:	Mr.Hriday Narayan Harshit, Adv
For the Opposite Party/s	:	Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
C.A.V. ORDER

5 01-04-2022 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 in virtual Court proceeding.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341,323,325,307,302/34 of the Indian Penal Code.

As per the prosecution case, while the informant was working in her land with her husband, all the accused persons, including the petitioner, abused them and on protest, the petitioner assaulted the husband of the informant with iron rod. It is further alleged that the husband of the informant died



during the course of treatment at D.M.C.H.

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 as per allegation in the FIR, co-accused-Ramdev Yadav and Dharmdev Yadav assaulted with Lathi to the husband of the informant and the allegation against the petitioner is that he assaulted with iron rod, in the result, the husband of the informant died during course of treatment in D.M.CH. Learned counsel for the petitioner submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 17.07.2020.

On the other hand, learned A.P.P. for the State, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for bail of the petitioner and submits that the allegation against co-accused-Ramdev Yadav and Dharmdev Yadav who assaulted with Lathi to the husband of the informant whose bail has been rejected by a Coordinate Bench of this Hon'ble Court vide order dated 08.07.2021 in Cr. Misc. No. 18768 of 2021 and the allegation against the petitioner is that he assaulted to the husband of the informant with iron rod. Hence, the allegation against the petitioner is



more serious than the allegation against co-accused-Ramdev Yadav and Dharmdev Yadav.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Laukaha P.S.Case No.191 of 2020 corresponding to G.R.No.1045 of 2020 pending in the court of learned Judicial Magistrate-1st Class, Jhanjharpur, Madhubani.

Prayer is refused.

(Rajesh Kumar Verma, J)

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