

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59800 of 2021

Arising Out of PS. Case No.-90 Year-2021 Thana- PALANWA District- East Champaran

1. SHANKAR YADAV Son of Lalan Yadav Resident of Village - Parsauna Tapsi, P.S.- Palanwa, District - East Champaran
2. Lalan Yadav Son of Bharat Yadav Resident of Village - Parsauna Tapsi, P.S.- Palanwa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-10-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for offence punishable under sections and other ancillary sections 147, 302 and other sections of the Indian Penal Code.

As per the prosecution case, all the accused persons including these petitioners assaulted the informant's father by means of lathi, danda, iron rod as a result of which he sustained injuries and died thereof during treatment.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that there is delay of eight days in



lodging of the FIR and there is no plausible explanation of delay prior to the lodging of the present case Palanaba Police Station Case No. 87 of 2021 was lodged by co-accused Nandu Das in which petitioners are witness in the case.

Learned counsel appearing for the State opposes the prayer for bail. He submits that the informant is the eye witness of the occurrence and he has specifically stated that the petitioners and other co-accused persons assaulted the victim causing his death.

In view of the nature and gravity of allegation, prayer for bail of the petitioners is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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