

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.67877 of 2021

Arising Out of PS. Case No.-75 Year-2021 Thana- VAISHALI District- Vaishali

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YOGENDRA RAM S/o Late Jhagru Ram Resident of Village- Patedhi,
Bhaikhan, P.S.- Vaishali, Belsar Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Advocate

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-05-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Vaishali (Belsar O.P.) P.S. Case No. 75 of 2021 for the offence
registered under Section 302 of the Indian Penal Code.

The allegation is regarding altercation having taken
place in between the parties on account of land dispute whereupon
the petitioner is stated to have abused the mother of the informant,
however, when the mother of the informant had protested, the
petitioner had beaten her with a lathi (stick) resulting in her being
badly injured, whereafter she was taken to the hospital and
subsequently she is stated to have succumbed to her injuries.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 08.03.2021.
The learned counsel for the petitioner has further submitted that
though the incident had taken place on 02.03.2021 but the
deceased died on 07.03.2021, during the course of treatment. It is



also submitted that in the postmortem report the reason for death has not been mentioned.

Per contra, Ms. Anita Kumari Singh, the learned A.P.P. for the State has referred to the impugned order dated 29.09.2021 to submit that the learned court below has elaborately dealt with the findings mentioned in the inquest report of the deceased (as mentioned in paragraph no. 2 of the case diary), to submit that grievous injuries were caused on the person of the deceased after she was beaten by the petitioner by stick resulting in her subsequent death.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the nature of injury sustained by the deceased on account of her being beaten by the petitioner resulting in her death, I do not find any reason to grant bail to the petitioner herein, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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