

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22925 of 2023

Arising Out of PS. Case No.-670 Year-2022 Thana- MAJHAULIA District- West Champaran

Dharmendra Yadav Son Of Late Dhruv Yadav Resident Of Village - Siriswa
Bazar, P.S. - Majhauliya, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Majhauliya P.S. Case No. 670 of 2022 instituted for the
offence under Sections 447, 341, 323, 307, 337, 504, 379, 324
and 34 of the IPC and later on 302 of the IPC was added.

Allegation against the co-accused persons along with
this petitioner is that they assaulted by means of lathi, danda
upon the informant's wife. The petitioner assaulted her by
means of *kudaal* upon the head due to which she sustained
head injury. It is further alleged that when the informant came
to save his wife then the accused persons assaulted him as well



and snatched the mangal-sutra of the informant's wife. Later on, she succumbed to injury during the course of treatment.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this present case. It is further submitted that both parties are neighbour to each other and also submitted that the informant's wife herself fell down on the drum, due to which she sustained injury. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 15.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the specific overt act of assaulting by means of *Kudaal* upon the informant's wife due to which she sustained head injury is against this petitioner. The postmortem report also corroborated with the prosecution version as the doctor opined that the cause of the death of the deceased is due to head injury. It is also submitted that witness supported the prosecution case as well.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



The trial court is directed to expedite the trial and
conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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