

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43439 of 2023**

Arising Out of PS. Case No.-405 Year-2022 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Laleshwar Yadav @ Lakru Yadav Son Of Late Viranchi Yadav Village
Mahkhar, Police Station- Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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

3 28-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
03.11.2022 in connection with Bakhtiyarpur P.S. Case No. 405
of 2022, F.I.R. dated 03.09.2022 registered for the offence
punishable under Sections 341,323,324,307,504,506,34 of the
Indian Penal Code and later on Section 302 of IPC was added.

3. Allegation against the petitioner is that he assaulted
to the father of the informant by means of spade causing injury
on his head. During course of treatment, the father of the
informant died.

4. Learned counsel appearing for the petitioner
submits that the petitioner clean antecedent and he has falsely



been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and as per FIR allegation against the petitioner is that he assaulted with spade to the father of the informant and he died during course of treatment.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and the allegation as alleged in the FIR is supported by the medical evidence and cause of death as mentioned in the postmortem report is Haemorrhage and shock due to brain injury caused by hard and blunt substance.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Bakhtiyarpur P.S. Case No. 405 of 2022 pending in the court of learned Chief Judicial Magistrate, Saharsa.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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