

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43917 of 2023

Arising Out of PS. Case No.-66 Year-2022 Thana- AGAMKUAN District- Patna

ANIL KUMAR YADAV SON OF SRI RAJENDRA YADAV RESIDENT OF
VILLAGE- BASANT BIGHA, PS- KHIRIMOR, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Mrs. Vaishnavi Singh
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with Agamkuan P.S. Case No. 66 of 2022 instituted for the offence under Sections 302, 379/34 of the Indian Penal Code.

3. As per allegation in the FIR, the petitioner along with other co-accused persons assaulted the informant's husband due to which sustained injury and died on the way to hospital. The petitioner is alleged to have assaulted repeatedly on the head of the husband of the informant by means of iron rod.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has



falsely been implicated in this case due to earlier dispute between the parties. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 26.5.2022.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioner is named in the FIR upon whom the informant has made specific allegation of assaulting continuously on head of her husband by means of iron rod due to which informant's husband succumbed to injury. The postmortem report corroborates the prosecution allegation, wherein, doctor opined cause of death is due head injury caused by hard & blunt object and its impact. It is further submitted that witnesses of this case have also supported the prosecution.

6. Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. 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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