

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54197 of 2022

Arising Out of PS. Case No.-232 Year-2020 Thana- LAXMIPUR District- Jamui

BALESHWAR YADAV @ BALESWAR YADAV SON OF LATE LEKHO
YADAV R/O VILLAGE- MANGROR, P.S.- LAXMIPUR, DISTRICT-
JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s	:	Ms. Madhuri Lata, A.P.P.
	:	Mr. Amrendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 147, 148, 149, 324 of
the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 17.04.2022 and has antecedent of
five cases.

The informant alleges that the accused persons including
the petitioner came and brutally assaulted his father by deadly
weapon, who died during the course of treatment at Sadar
hospital.

Learned counsel for the petitioner submits that from



perusal of the allegation as alleged in the FIR, it would manifest that there is no specific allegation of assault against the petitioner and hence, the allegation of assault is general and omnibus in nature. Learned counsel next submits that petitioner on account of previous dispute has been falsely implicated in the present case and one of the co-accused Antu Yadav was acquitted in Session Trial No. 16 of 2021.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for bail of the petitioner but are not able meet the submission of the learned counsel for the petitioner that the allegation of assault is general and omnibus in nature. However, it is submitted that petitioner has antecedent of five cases.

Considering the submission made by the learned counsel for the informant, the Court is not inclined to release the petitioner on bail.

However, the petitioner would be at liberty to renew his prayer for bail after framing of charges.

(Satyavrat Verma, J)

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