

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62449 of 2023

Arising Out of PS. Case No.-628 Year-2022 Thana- RAJAOLI District- Nawada

Naresh Prasad Yadav Son Of Late Ganauri Yadav Resident Of Village -
Bahadurpur, P.S. - Rajauli, District - Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Rajauli P.S. Case No. 628 of 2022 instituted for the offence under Sections 147, 148, 149, 341, 323, 324, 326, 307, 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, when the brother of the informant was at field, meanwhile the accused persons including the petitioner caught and assaulted him due to which he sustained injuries and thereafter died. The petitioner is specifically alleged to have inserted an iron rod in the head of the informant's brother. When son of the informant went to rescue the deceased, the accused persons fled away after making firing.



4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. There is admitted land dispute going on between the parties due to which this petitioner has falsely been implicated in this case. It is further submitted that postmortem report of the deceased has not supported the prosecution as no any as alleged penetrated wound found. Moreover, the petitioner is languishing in judicial custody since 10.7.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who has specifically been alleged to insert iron rod in the head of the deceased. The postmortem report also shows lacerated wound on left parietal region and doctor opined the cause of death is due to Hemorrhage & shock caused by hard and blunt substance. It is further submitted that the informant in her restatement as well as other witnesses of the case have also supported the prosecution case. Moreover, the petitioner is a notorious person who has got seven criminal antecedents.

6. 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.

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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