

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21297 of 2024

Arising Out of PS. Case No.-547 Year-2023 Thana- KOTWALI District- Munger

Subhash Yadav Son of Late Kamleshwari Yadav Resident of Village -
Raghopur, Tikar, P.S.- Nathnagar, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anurag Saurav, Advocate
For the Opposite Party/s	:	Mr. C. Jawahar, APP
For the Informant	:	Mr. Sunil Kumar Pathak, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 10-07-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant. Perused the
Case diary.

2. The petitioner seeks bail in Kotwali P.S. case No.
547 of 2023 instituted for the offences under Sections 147, 148,
149, 323, 341, 326, 307, 504 and 506 of the Indian Penal Code.

3. Prosecution allegation, in short, is that while the
informant's father was returning from market, the accused
persons assaulted him. When the informant received
information, he went to rescue his father then the accused
persons again assaulted the informant and his father due to
which the informant's father sustained injuries.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case under Section 302 of I.P.C. There is no eye witness to the alleged occurrence. All the witnesses are family members. The petitioner is in custody since 23.11.2023 and has three criminal antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the informant submits that specific allegation of assault on the deceased namely Yogendra Yadav is attributed against the petitioner. The post-mortem report corroborates with the allegation made in the F.I.R. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the seriousness of allegation against the petitioner and the gravity of the offence, I am not inclined to grant bail to the petitioner. The prayer is rejected. The Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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