

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24846 of 2024

Arising Out of PS. Case No.-381 Year-2022 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Sakun Yadav @ Shakun Yadav Son Of Lala Yadav Resident Of Village -
Khurar, P.S. - Magadh Medical, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 06-09-2024 Heard learned counsel for the petitioner, informant
and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 302/34 of the Indian Penal
Code.

3. The petitioner along with other co-accused is said
to have killed the brother of the informant.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case due to suspicion. He submits that the informant is neither
the eye witness nor any independent witnesses have ever
claimed to see committing the offence. He submits that the
allegation levelled against the petitioner is not specific rather
general and omnibus in nature. He further submits that



petitioner has one criminal antecedent as stated in para-3 of this application and he is languishing in judicial custody since 06.11.2023.

5. Learned APP for the State and informant opposing the prayer for bail submit that the cause of death of the deceased is asphyxia shock due to pressure and compression over the neck due to soft and flexible ligature material. He further submits that the allegation against the petitioner is very serious in nature, therefore, he does not deserve bail.

6. Considering the nature of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Magadh Medical P.S. Case No. 381 of 2022.

7. However, the petitioner is at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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