

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33316 of 2024

Arising Out of PS. Case No.-1215 Year-2023 Thana- SHERGHATI District- Gaya

Basudeo Yadav Son of Late Lalit Yadav R/o Village- Kharati, P.S.- Dobhi,
Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 35754 of 2024

Arising Out of PS. Case No.-1215 Year-2023 Thana- SHERGHATI District- Gaya

Anil Yadav @ Anil Kumar Yadav son of Basudeo Yadav Village- Kharati Ps-
Bahera OP Dhobi Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 33316 of 2024)
For the Petitioner/s : Mr.Brijmohan Das
For the Opposite Party/s : Mr.Shailendra kumar
(In CRIMINAL MISCELLANEOUS No. 35754 of 2024)
For the Petitioner/s : Mr.Brijmohan Das
For the Opposite Party/s : Mr.Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 12-09-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in a case
instituted for the offence under Sections 341, 323, 324, 325, 307,
504, 506/34 of the Indian Penal Code and later on added Section
302 of the IPC.



3. The allegation against these petitioners along with others is of brutally assaulted the *aunt* of the informant leading to her death.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. He submitted that the injury mentioned in the postmortem report does not corroborate the allegation made in the FIR as such there is allegation against the petitioner namely, Anil Yadav who assaulted the deceased by means of *Garasa* and the petitioner namely, Basudeo Yadav assaulted the deceased with *lathi*. He further submitted that as per postmortem report, one of the injuries is lacerated wound, which has been found to be caused by hard and blunt substance. Petitioners having no criminal antecedent and they are languishing in judicial custody since 09.12.2023.

5. Learned APP for the State and learned counsel for the informant have opposed the application for bail and submitted that the petitioner namely, Anil Yadav inflicted *Garasa* blow on the head of the deceased and stitch wound was found on the parietal region of the deceased caused by sharp edge weapon. So far as petitioner namely, Basudeo Yadav is concerned, he inflicted *lathi* blow on the person of the deceased. During investigation several witnesses have also supported the prosecution case.



6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioners on bail and, as such, their prayer for bail stands **rejected**.

7. The trial Court is directed to conclude the trial within a period of one year, positively, failing which, the petitioners will be at liberty to renew their prayer for bail.

(Nawneet Kumar Pandey, J)

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