

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36884 of 2024

Arising Out of PS. Case No.-385 Year-2023 Thana- KURTHA District- Jehanabad

Mahesh Yadav son of Late Ram Sevak Yadav Village- Gaharpur Ps- Kurtha
Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sessions Trial No. 67 of 2024 arising out of Kurtha P.S. Case
No. 385/2023 lodged on 20.10.2023 under Sections 147, 148,
149, 302, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against four named accused persons including the present
petitioner. The allegation against the petitioner and one other co-
accused Pradish Kumar is that they have assaulted the
informant's elder brother by spade which caused him serious
injury and ultimately done to death.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further



submits that there is general and omnibus allegation against the known accused persons that they have attacked on the informant side. Counsel also submits that from bare perusal of the case, it transpired that the dispute which arose between the petitioner and informant side is basically a land dispute and for cutting all the grass, the entire dispute took place. Counsel further submits that the criminal antecedent of the petitioner is clean. The petitioner is in custody since 12.12.2023 in the present case.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is specific allegation of assault against the petitioner and one co-accused Pradish Kumar due to which the informant's brother died.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Sessions Trial No. 67 of 2024 arising out of Kurtha P.S. Case No. 385/2023, pending before the learned District & Sessions Judge, Jehanabad is hereby rejected.

(Dr. Anshuman, J)

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