

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40055 of 2024

Arising Out of PS. Case No.-117 Year-2023 Thana- MAHKAR District- Gaya

=====

Birendra Yadav @ Birendra Kumar S/O RAJENDRA YADAV @
RAJNANDAN YADAV village- gorandi, P.S.- Mahkar, dist gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 08-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offence punishable under Section

3. As per allegation in the FIR, it is a case of death of
the son of the informant on the assault of the petitioner and his
wife Pinku Devi with iron rod due to which, the son of the
informant succumbed to his injuries and died in PMCH during
treatment.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner has got clean antecedent and he is in
custody since 23.11.2023.



5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, case diary, postmortem report and impugned order dated 06.03.2024, it appears that petitioner is named in the FIR and during course of investigation, witness examined under Section 161 of the Cr.P.C. have supported the prosecution story and as per the postmortem report, the cause of injuries due to spinal cord injury and the informant has specifically stated that the petitioner has assaulted the deceased with iron rod on the spinal cord of the deceased.

7. Considering all aspects of this case and the specific allegation against the petitioner, I am not inclined to grant bail of the petitioner.

8. Hence, prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

U		T	
---	--	---	--

