

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59201 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- MUFFASIL District- West Champaran

Chandan Yadav @ Vivekanand Son of Manish Yadav @ Manish Kumar
Resident of Village - Parbatiya Tola, Police Station - Bettiah Muffasil, District
- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Case No. 412 of 2024 arising out of Bettiah Muffasil P.S. Case No. 46 of 2024 dated 25.01.2024 registered for the offences punishable u/ss 341, 323, 324, 307, 384 read with section 34 of the Indian Penal Code and later on added section 302 of the IPC.

3. As per the prosecution case, the petitioner and the co-accused person along with the 2-3 unknown miscreants are alleged to have assaulted the informant's uncle with *Astura* and knife causing severe injury on his face, subsequently he died. It is further alleged that earlier they also demanded Rs. five lakhs



as ransom.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. There is no eyewitness to the alleged occurrence. There is no any specific allegation against the petitioner. It is further alleged that the deceased died due to septicemia, toxemia and shock due to some chronic disease. It is further submitted that the occurrence took place on 25.01.2024 and the deceased died on 12.02.2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is specific allegation against the petitioner of assaulting the informant's uncle with *Astura* and knife. It is further alleged that the petitioner also assaulted the informant and his family members and demanded *Rangdari* prior to the alleged occurrence. As per the postmortem report, external injuries were found on the temporal region, ear, chest and nose of the deceased and the cause of death is septicemia, toxemia and shock.



6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

7. Learned trial court is directed to expedite the trial and conclude the same at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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