

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6158 of 2015

Arising Out of PS.Case No. -146 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

=====

1. Shankar Mahto S/o Rudal Mahto, R/o Village - Kanchanpur, P.S. - Bidupur, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Indu Kumari Srivastav(App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT
KUMAR JHA
ORAL ORDER

3. 13-04-2015. Heard the parties.

Petitioner seeks bail in a case under Section 302 and other sections of the IPC, section 34 of the Explosive Act and section 27 of the Arms Act.

The informant alleged that the petitioner along with Raj Kumar Singh, Raj Babu Rai and some unknown persons, brutally assaulted his father, who died.

Learned counsel for the petitioner submits that there is omnibus and general allegation of assault against the petitioner and other accused persons. The informant alleged that his father was assaulted by sharp cutting weapons and hard and blunt substances but from perusal of the Post Mortem Report, it appears that the deceased died due to asphyxia on account of pressing of neck and therefore, the Post Mortem Report does not support the ocular version of the petitioner.

It appears that there is allegation that the petitioner and others assaulted the deceased with sharp cutting weapon as well as

by hard and blunt substance. From perusal of the inquest report, it appears that the deceased got many injuries on leg, mouth and head and his tongue was also cut but even then the doctor, who held Post Mortem, did not mention regarding these injuries found on the dead body of the deceased. The petitioner has got criminal antecedent also.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail and accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

ahk/-

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