

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8242 of 2015

Arising Out of PS.Case No. -61 Year- 2014 Thana -BALRAMPUR District-
KATIHAR

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MD. SHAMSAD @ MD. SHAMSAD ALAM @ SHAMSHAD ALI @
SHAMSHAD ALAM son of late Moulbi Gyasuddin, resident of village-
Dullhapur, Laucha, P.S.- Balrampur, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 21-04-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 447 /341 /323 /307 /354 /504 /
506 /34 of IPC .

Allegation against the accused including the
petitioner is to have assaulted the informant, his father and
brother, out of whom Muztaba Hussain, father of the informant
succumbed to his injuries on the next date of the occurrence
during treatment.

Learned counsel for the petitioner submits that there
is no allegation of overtact against the petitioner and he has no
criminal antecedent.

Learned counsel for the State submits that from perusal of the case-diary it appears that there is specific allegation of overtact against the petitioner and from perusal of the post-mortem report it also appears that the deceased had four injuries including the injury on head and the doctor had also opined that the deceased died due to assault.

Considering the facts and circumstances, in my opinion, the petitioner does not deserve bail at this stage. His prayer for bail is rejected.

Let the trial be expedited.

(Amaresh Kumar Lal, J)

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