

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20413 of 2015

Arising Out of PS.Case No. -274 Year- 2013 Thana -BANIYAPUR District- SARAN

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Kurban Miyan S/o Khalil Miyan, R/o Village- Amaw (Dhobi Tola), P.S.-
Baniyapur, District- Saran (Chapra)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 06-05-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 323, 325, 307, 302, 504/34
of the Indian Penal Code.

The allegation against the petitioner and others is to
have assaulted Sabir Miyan and Habib Miyan, who succumbed to
their injuries.

It is submitted that there is no specific allegation of
overt act against the petitioner.

Considering the allegation that the assault made by
the petitioner and others caused the death of two persons, the
prayer for bail is rejected.

It appears that co-accused Hafiz Miyan had moved
this Court vide Cr. Misc. no. 50280 of 2014 in which the learned

trial court has given report that four prosecution witnesses have already been examined and the trial is likely to be concluded within a period of six months.

However, if the trial is not concluded within six months, it will be open to the petitioner to move the trial court for grant of bail.

(Amaresh Kumar Lal, J)

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