

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43248 of 2013

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Jharu Laiya S/O Late Babu Laiya Resident Of Village Angaru, P.S. Bounsi,
District Banka.

..... Petitioner/s

Versus

The State Of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

04/ 10-02-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
20.04.2013 in a case registered for the offences punishable under
Sections 302/34 and 120B of the Indian Penal Code.

It is alleged that 20 persons variously armed
came to the house of the informant in which informed identified
11 persons including the petitioner on the order of Ishwar Yadav
the father of the informant was taken to the house of Debu Laiya
where he was assaulted as a result he died on the spot.

It is submitted by learned counsel for the
petitioner that the accusation is omnibus and general and the co-
accused persons have been granted bail. Moreover, accusation of

assault is assault against 20 persons when only four injuries have been found.

It is submitted by learned counsel for the State that eye witnesses' statements have been recorded in paragraph 8 to 11 which suggest that the petitioner was one of the assailants.

The case was instituted in 2001 and the petitioner has been arrested in 2013. The charge-sheet was submitted after declaring the petitioner as an absconder.

Considering the aforesaid facts, this Court is not inclined to grant bail to the petitioner in connection with Sessions Trial No. 614A of 2006 arising out of Bounsi P.S. Case No. 56 of 2001 pending in the court of learned Ad hoc Additional Sessions Judge-IV, Banka.

Accordingly, the prayer for bail of the petitioner is rejected.

(Dinesh Kumar Singh, J)

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