

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27145 of 2015

Arising Out of PS.Case No. -181 Year- 2014 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Sakir Mian @ Manbodh @ Sakir Hussain Son of Zalim Mian Resident
of village - Telpur, P.S. Lauriya, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Mojibur Rahman

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 14-10-2015 Heard the learned counsel for the petitioner, the
learned A.P.P as also the learned counsel for the Informant.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 341, 323, 324, 307, 302
and 504 of the I.P.C

The allegation against the petitioner is that at the
instigation of co-accused Zalim Mian the petitioner Sakir Mian @
Manbodh @ Sakir Hussain gave lathi blow on the head of father
of the informant causing rapture of the head and he fell down and
then all the accused persons fled away and thereafter he
succumbed to the injuries.

Submission is of false implication and that there was
free fight between the parties. The petitioner has also sustained

injuries which have been found dangerous to life and on his statement Lauriya P.S. Case No. 188 of 2014 has been registered. During investigation the injured Ibrar Alam has stated that the petitioner gave lathi blow on the head of father of the informant and then Zalim Mian and Zakir Mian again assaulted him.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioner is the assailant and he has given fatal blow to the deceased.

In the facts and circumstances as stated above, considering that the petitioner is the assailant and he has given fatal blow and as such this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Lauriya P.S. Case No. 181 of 2014/ G.R. No. 4433 of 2014 pending in the court of A.C.J.M. West Champaran at Bettiah.

However, the trial court is directed to expedite the trial and to conclude the same preferably within six months by taking the same on priority basis.

(Jitendra Mohan Sharma, J)

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