

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.345 of 2015

Arising Out of PS.Case No. -76 Year- 2011 Thana -ASARGANJ District- MUNGER

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1. Rajiv Sah @ Bedam Sah @ Rajeev Sah Son of Jago Sah Resident of Village Jalalabad, P.S. Asarganj, Distt. Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate.

For the Opposite Party/s : Mr. Narendra Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 09-04-2015 Heard both sides.

The petitioner seeks bail in Asarganj P.S. Case No. 76 of 2011, registered for the offences punishable under Section 302 of the Indian Penal Code.

There is specific allegation against the petitioner that he gave knife blow on different parts of the body of Basant Kumar the son of the informant and in course of treatment son of the informant died.

Learned counsel for the petitioner submits that the deceased was a notorious criminal and he might have been killed by his enemies. The petitioner has falsely been implicated. The occurrence took place at about 06:00 a.m. The father of the deceased disclosed that he took his son to Bhagalpur medical

college, but the doctor declared him dead. Thereafter, the informant made his fardbeyan at 11.00 A.M., which is quite improbable.

It appears that not only the informant but other witnesses have also stated that it was the petitioner who repeatedly gave dagger blow to Basant Kumar who got many injuries by sharp cut weapon and died.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within 1½ years from the date of receipt/production of a copy of this order.

(Prabhat Kumar Jha, J.)

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