

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42627 of 2014**

Arising Out of PS.Case No. -16 Year- 2014 Thana -SIKARHATA District- BHOJPUR

1. Kamlesh Rajwar Son of Tapeswar Rajwar, Resident of Village-Bagar,  
P.S.-Sikarhatta, District-Bhojpur at Arrah (Bihar).

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

3 16-04-2015 Heard both sides.

Petitioner seeks bail in Sikarhatta P.S.Case No.16 of 2014 registered for the offences punishable under Section 302 of the IPC.

The informant alleged that the petitioner killed his grand father Kuldip Rai.

It is submitted that the informant alleged that the petitioner assaulted, but none of the witnesses disclosed that the petitioner assaulted the deceased with which weapon. The deceased was 90 years old and fell down, got injury on the head and died. The petitioner is in jail since 19.5.2014.

On the other hand, learned APP has submitted that the witnesses have supported the fact that the petitioner assaulted the deceased.

It appears that none of the witnesses have disclosed that the petitioner assaulted the deceased with which weapon. On perusal of the Post Mortem Report, it appears that lacerated wound

on parietal region in shape and size 3” x 2” was found and there was fracture on left parietal bone. It is submitted that the injury might have been caused on account of fall.

Considering the facts that there is no specific allegation against the petitioner and he is in jail for about 11 months, the petitioner, named above, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M, Bhojpur at Ara in connection with Sikarhatta P.S.Case No.16 of 2014.

**(Prabhat Kumar Jha, J)**

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