

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23007 of 2014

Arising Out of PS.Case No. -317 Year- 2013 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Shamsher Singh son of Late Sarvanath Singh resident of village - Barej,
P.S. Mohania, District - Kaimur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak

For the Opposite Party/s : Mr. Shailendra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 18-03-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 341,323 and 506 of the Indian Penal Code. Subsequently, section 302 IPC was added.

The accusation is of making assault to the informant and his grand father. Subsequently, grand father of the informant died.

It is submitted by learned counsel for the petitioner that the occurrence took place on 29.11.2013 when the victim died on 6.12.2013. It is further submitted that there is nothing on record to show that the victim was being treated for the alleged injuries. Hence, the said injuries cannot be treated to be caused by the

accused person.

During postmortem, the 8th and 9th ribs of the deceased were found fractured and rupture of spleen. The injuries were opined to be cause of death.

Considering the nature of accusation, this court is not inclined to grant anticipatory bail to the petitioner in connection with Mohania P.S. Case No. 317 of 2013 pending in the court of learned C.J.M., Bhabua.

This application is, accordingly, dismissed.

(Dinesh Kumar Singh, J)

Anil/-

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