

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6854 of 2014

Arising Out of PS.Case No. -400 Year- 2013 Thana -BARACHATTI District- GAYA

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Shibu Bhuian S/O Ram Balak Bhuian Resident Of Village- Barki Bihiya,
P.S.- Barachatti, District- Gaya

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar

For the Opposite Party/s : Mr. Ram Bachan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

04/ 09-02-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
09.09.2013 in a case registered for the offences punishable under
Sections 147, 149, 323, 504, 307, 337 and 302 of the Indian Penal
Code.

It is alleged against the petitioner that he
assaulted with iron rod on the head of the informant and when the
brother of the informant came to rescue then the other accused
persons assaulted him. The informant subsequently succumbed to
the injuries.

It is submitted by learned counsel for the
petitioner that the petitioner has assaulted the informant and there

is no accusation of repeating the blow and others have been granted bail.

A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that the petitioner is the main assailant, this Court is not inclined to grant bail to the petitioner in connection with Barachatti (Mohanpur) P.S. Case No. 400 of 2013 pending in the court of learned Sub-divisional Judicial Magistrate, Sherghati, District – Gaya.

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

Let the trial be expedited.

(Dinesh Kumar Singh, J)

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