

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43430 of 2014

Arising Out of PS.Case No. -53 Year- 2013 Thana -IMADPUR District- BHOJPUR

Rajesh Pasi, S/o Nathun Pasi, Resident of Village - Mugraw, P.S. Kachhwa,
District – Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No.44617 of 2014

Arising Out of PS.Case No. -53 Year- 2013 Thana -IMADPUR District- BHOJPUR

Ramjee Pasi, Son of Gamma Pasi, Resident of Village - Bauali, P.S. -
Jagdishpur, District - Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.43430 of 2014)

For the Petitioner/s : Mr. Gopal Govind Mishra, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No.1(App)

(In Cr.Misc. No.44617 of 2014)

For the Petitioner/s : Mr. Gopal Govind Mishra, Advocate

For the Opposite Party/s : Mr. Nazir Ansari(App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

8 20-07-2015 Heard the learned counsel for the petitioners and the
learned counsel for the State.

Both these applications arise out of Imadpur P.S. Case
No.53/2013 corresponding to Sessions Trial No.65/2014 registered
for the offence punishable under Sections 302/34 of the Indian Penal
Code, as such, they have been heard together and are being disposed

of by this common order.

The allegation is that at the instance of Sumitra Devi, both the petitioners assaulted the deceased with parts of a cot, which caused the death of the deceased in the way to the hospital.

It is submitted that the petitioners are not the co-villagers of the informant. They have no grudge against the deceased or his family. There was no intention to kill the deceased.

The learned counsel for the State submits that on the instigation of Sumitra Devi (relative of the petitioners), the petitioners had assaulted brutally the deceased, which caused his death in the way to the hospital. The doctor has opined that the deceased died due to injuries caused by hard and blunt substance. After investigation, the case has been found true and the charge sheet has been submitted. The case is pending before the Sessions Court.

Considering the facts and circumstances of the case, in my opinion, the petitioners do not deserve bail at this stage. Their prayer for bail is rejected.

Let the trial be expedited. If the trial is not concluded within a year, it will be open to the petitioners to move the learned trial court for grant of bail.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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