

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41456 of 2014

Arising Out of PS.Case No. -193 Year- 2013 Thana -MAKHDUMPUR District- JEHANABAD

Santosh Kumar Son of Butu Chaudhary Resident of Village-Balami Bigha,
P.S.-Makhudumpur, District-Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Girish Chandra Sharma, Adv.

For the Opposite Party/s : Mr. Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 09-03-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 323, 324 and 307 read
with Section 34 of the Indian Penal Code and later on Section 302
IPC was added.

Allegation against the petitioner is to have assaulted
the deceased with garasa on the head of the deceased.

Learned counsel for the petitioner submits that the
petitioner is not the eye witness to the occurrence. In his re-
statement he has stated that the occurrence was narrated to him by
his sister Rajkumaria Devi as mentioned in paragraph 10 of the
case-diary in which she has stated that Budhi Chaudhary, Sankura
and Annu Chaudhary came there and assaulted the deceased on his

head.

Learned counsel for the State submits that Sangeeta Kumari is the eye witness to the occurrence and in paragraph 9 of the case-diary she has specifically stated that the petitioner assaulted the deceased on her head and she fell down which proved fatal and the deceased died during treatment.

Considering the facts and circumstances, in my opinion, the petitioner does not deserve bail at this stage. His prayer for bail is rejected.

Let the trial be expedited.

(Amaresh Kumar Lal, J)

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