

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48174 of 2015

Arising Out of PS.Case No. -255 Year- 2014 Thana -BIHIYA District- BHOJPUR

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1. Osiyar Singh @ Osiyar Yadav son of Late Hira Nand Singh, resident of village- Mahuaon, P.S.- Behiya, District- Bhojpur, Ara

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan

For the Opposite Party/s : Mr. Rajendra Nath Jha (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 02-12-2015 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Bhiya P.S. Case No. 255 of 2014 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504, 302 of the Indian Penal Code.

The allegation against the petitioner is that he assaulted Munni Singh on his head with Farsa due to which he succumbed to the injury in P.M.C.H. during treatment.

Submission is of false implication and that FIR has been lodged after delay without any explanation, there was no motive for commission of the offence. Other co-accused have been allowed bail either by this Court or by the learned Court

below and the petitioner is suffering in custody since 07.11.2014.

The learned A.P.P. opposes the prayer of bail by submitting that petitioner is the main assailant, who has given Farsa blow on the head of the deceased.

In the facts and circumstances stated above, considering that the petitioner is the assailant, this Court is not inclined to enlarge the petitioner on bail and, as such, prayer stands rejected.

(Jitendra Mohan Sharma, J)

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