

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28428 of 2015

Arising Out of PS.Case No. -295 Year- 2014 Thana -FALKA District- KATIHAR

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1. Bindeshwari Uraon S/o Puran Uraon resident of village - Dumar Adibesi
Tola, P.S. - Falka (Pothia), District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Bhagat

For the Opposite Party/s : Mr. Ajay Kr. 2(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

Petitioner seeks bail in connection with Falka (Pothia)
P.S. Case No. 295 of 2014 registered for the offences punishable
under Section 302 of the Indian Penal Code.

Allegedly the petitioner was assaulting Sarojni Munni
Devi and on her alarm, when Sudama Devi went to rescue then the
petitioner started assaulting Sudama Devi with wooden log on
vital parts of the body resulting she became unconscious and in the
night she died.

Submission is that there was no intention to kill the
deceased and the petitioner is suffering in custody since
23.12.2014 and, as such, he deserves sympathetic consideration to

which learned A.P.P. opposes by submitting that petitioner is the assailant and in postmortem also the cause of death is due to shock and hemorrhage with the effect of injury specially injury no. 2 caused by hard, blunt and heavy object.

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

(Jitendra Mohan Sharma, J)

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