

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44043 of 2014

Arising Out of PS.Case No. -56 Year- 2014 Thana -PAROO District- MUZAFFARPUR

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1. Dhirendra Kumar @ Dhirendra Singh Son of Shambhu Singh Resident of village- Fatehabad, Police Station- Paru, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Tiwari

For the Opposite Party/s : Mr. Anant Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 03-03-2015 Heard learned counsel for the petitioner, learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

Petitioner is named in the first information report and there is allegation against him that he assaulted the deceased with butt of pistol.

In the present case, two persons were killed and the informant as well as some other sustained injuries.

Learned counsel appearing for the petitioner submits that according to prosecution case itself, the alleged occurrence took place due to land dispute and even if the prosecution story assumed to be true, then also, petitioner had no intention to kill the deceased as there is no allegation of firing against him. He further

submits that post mortem report of deceased Balram Singh reveals that he sustained only four injuries and out of the above stated injuries one injury is found on the head of the deceased and according to prosecution case itself, the author of the aforesaid injury is Rabindra Kumar. So far as injury found on the chest of the deceased Balram Singh is concerned, it is not specific who caused the said injury.

Learned counsel appearing for the informant points out that, altogether, seven prosecution witnesses have already been examined and the trial of the petitioner is going in full swing.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I do not think it proper to release the petitioner on bail. Accordingly, his prayer for bail in connection with Paru P.S.Case No. 56 of 2014, pending in the court of Sub-Divisional Judicial Magistrate, West Muzaffarpur stands rejected.

However, the concerned court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible.

(Hemant Kumar Srivastava, J)

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