

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.14059 of 2015**

Arising Out of PS.Case No. -88 Year- 2003 Thana –BENIPATTI (Arer) District-  
MADHUBANI

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Birendra Kumar Bhandari @ Birendra Bhandari son of Sri Ram Nandan  
Bhandari Resident of Village - Arer Sinaura, P.S. Arer, District -  
Madhubani.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bimal Kumar, Adv.

For the Opposite Party/s : Mr. U.L.Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL**  
**ORAL ORDER**

5      20-07-2015                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks bail in Benipatti (Arer) P. S. Case  
No. 88 of 2003 registered for the offence punishable under  
Sections 447, 147, 148, 149, 341, 323, 342, 324, 302 of IPC and  
Section 27 of the Arms Act.

Allegation against the petitioner is to have assaulted  
deceased Buchai Kamat, father of the informant with *farsa*.

Learned counsel for the petitioner submits that there  
has been occurrence of assault between both the parties. The  
brother of the petitioner has also been killed by the prosecution.  
He has further submitted that there is no specific allegation of

against the petitioner.

Learned counsel for the State submits that there is specific allegation against the petitioner to have assaulted the deceased with farsa. The doctor has also found sharp cutting injury on the deceased. The petitioner has remained absconder for a long time. The occurrence has taken place on 2.5.2003 and the petitioner has surrendered on 20.11.2014. Learned Magistrate has also reported that the case has been committed to the court of sessions.

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)**

Kanchan/-

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