

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5788 of 2015

Arising Out of PS.Case No. -1020 Year- 2014 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Madan Ram son of Late Jhpsi Ram
2. Nirma Devi wife of Madan Ram Both resident of village - Belhar, P.O.
Bhadokhara, P.S. Sasaram two (Darigaon), District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Ashraf Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 06-07-2015

Heard both sides.

In this application petitioner no. 2 Nirma Devi has already been enlarged on bail by this Court by order dated 11.02.2015 and, hence, this application has been heard only on behalf of petitioner no. 1 Madan Ram.

The petitioner Madan Ram seeks bail in a case under section 302/34 of the Indian Penal Code.

Petitioner Madan Ram is alleged to have assaulted his own brother Shivnath Ram with axe on his head. Shivnath Ram died on account of injuries on his head.

It is submitted that the petitioner is the own brother of the deceased and there was no intention to kill and the

occurrence has taken place in a spur of moment.

Considering the fact that the petitioner assaulted his own brother Shivrath Ram with axe on his head as a result of which he died, I am not inclined to enlarge petitioner Madan Ram on bail in connection with Sasaram (Darigaon) P.S. Case No. 1020 of 2014 pending in the court of the Chief Judicial Magistrate, Rohtas at Sasaram. This application for bail is, accordingly, rejected.

The trial court is directed to expedite the trial of the petitioner and conclude the same within nine months from the date of receipt/production of a copy of this order.

(Prabhat Kumar Jha, J)

Amin/-

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