

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49785 of 2015

Arising Out of PS.Case No. -45 Year- 2014 Thana -CHAUSA District- MADHEPURA

1. Chandrashekhar Sharma Son of Late Jagdish Sharma R/o Village
Lauaalagan, P.S. Chausa, District Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh

For the Opposite Party/s : Mr. Anil Kr.Singh 1(App)

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

3 11-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Chausa
P.S. Case No. 45 of 2014 registered for the offence punishable
under Sections 302/34 of the Indian Penal Code.

Allegedly, the petitioner and his wife being armed
with Lathi entered into the courtyard of the informant and after
abusing started assaulting the husband of the informant on his
head, resulting, the husband of the informant fell down and
became senseless and then both fled away. The husband of the
informant succumbed to the injury.

Submission is of false implication and that the post
mortem report does not corroborate the prosecution case, the wife

of the petitioner has been allowed pre-arrest bail, there was no intention to commit murder and as such the petitioner deserves sympathetic consideration to which the learned APP opposes by submitting that the wife of the petitioner has been allowed pre-arrest bail on the ground of lady and during post mortem cause of death was found due to hemorrhage and shock due to the injuries caused by hard and blunt substance as such the post mortem report corroborates the prosecution version as on head one injury was found 2" in length.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, the trial court is directed to expedite the trial and conclude the same, preferably within nine months.

(Jitendra Mohan Sharma, J)

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