

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48313 of 2014

Arising Out of PS.Case No. -182 Year- 2014 Thana -NAUBATPUR District- PATNA

1. Navin Rai @ Dablu Rai So Sukhdeo Rai Resident of Village Gadaypur,
P.S. Naubatpur, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Ansuiya Jaiswal (App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR
LAL
ORAL ORDER

3 17-03-2015 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered for offences punishable under Sections 341, 323, 337, 324, 307, 302/34 of Indian Penal Code.

The allegation against the petitioner is to have assaulted with bricks and Axe and during treatment, the deceased succumbed to injuries. It is submitted on behalf of the petitioner that there is no specific allegation of overt act against the petitioner and as per statement of witnesses all ten accused persons assaulted the deceased whereas in the postmortem report, there are four injuries, causing his death.

Learned counsel for the State submits that the informant

is the eye witness to the occurrence and he has specifically stated that Sunil Rai, Sadhu Rai, Dablu Rai (petitioner) and Tuntun Rai assaulted the deceased and thereafter during treatment, he died and in the similar facts and circumstances, the prayer for bail of co-accused Sunil Rai has been rejected vide Cr. Misc. No. 42633 of 2014.

Considering the facts and circumstances, it appears that the case of the petitioner is similar to Sunil Rai and in my opinion, the petitioner does not deserve bail and his prayer for bail is rejected.

Let the trial be expedited.

(Amaresh Kumar Lal, J)

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