

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6579 of 2015

Arising Out of PS.Case No. -116 Year- 2013 Thana -GARKHA District- SARAN

Butuk Rai @ Manoj Rai Son of Kishun Rai Resident of Village - Ismilepur,
P.S. - Garkha, Dist.-Saran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rakesh Kumar Tiwary, Advocate.

For the Opposite Party : Mr. Ataur Rahman(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 13-04-2015 Heard both sides.

The petitioner seeks bail in Garkha P.S. Case No. 116 of 2013, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that while he was taking water from tube well the petitioner came and demanded Rs. 20,000/- and repeatedly assaulted him with Lathi.

Learned counsel for the petitioner submits that the occurrence took place on 30.04.2013, but the FIR was lodged on 17.07.2013. The petitioner happens to be the co-sharer of the informant and there is land dispute. The informant fell down near the tube well and taking advantage of this fact the informant lodged the case against the petitioner.

On the other hand learned counsel for the informant as well as the learned APP opposed the prayer for bail of the petitioner.

It appears that the informant made his statement in P.M.C.H. on 06.05.2013. The statement of the victim was sent to Garkha P.S. for institution and registration of the case and on such the case was registered. There is very specific allegation that the petitioner repeatedly assaulted him with Lathi on the head of the informant. The doctor after CT scan found fracture of frontal bone and hemorrhage and contusion. The injuries opined to be grievous.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

The petitioner may renew his prayer for bail after remaining nine months in jail.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--