

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4900 of 2016

Arising Out of PS.Case No. -93 Year- 2015 Thana -KHAIRA District- SARAN

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1. Umesh Prasad son of Late Nathuni Prasad, resident of village- Jagdishpur, P.S.- Khaira, District- Saran.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Anuj Kr.Srivastava(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 29-03-2016 Heard learned counsel for the petitioner and learned APP for the Sate.

The petitioner seeks bail in connection with Khaira P.S. Case No. 93 of 2015 registered under Sections 147, 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code and later on Section 302 IPC was added.

Allegation against the petitioner is that he assaulted the brother of the informant with sword, resulting, the head was ruptured and during treatment the brother of the informant died. The doctor during post mortem examination has also found the said injury.

Submission is of false implication and that the doctor has found the injury caused by hard and blunt substance, other co-accused have been allowed bail and as such the petitioner also deserves sympathetic consideration to which learned APP opposes

by submitting that the petitioner is the assailant and the death was due to head injury and its complication.

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, considering the period of detention, let the trial be expedited and concluded within nine months.

(Jitendra Mohan Sharma, J)

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