

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5215 of 2016

Arising Out of PS.Case No. -291 Year- 2015 Thana -BARHARA District- BHOJPUR

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1. Awadesh Bind son of Paroan Bind resident of Village - Mahudahi, Bind Toli, P.S. - Barahara, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madan Jeet Kumar

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-03-2016 Heard the learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Barahara P.S. Case No. 291 of 2015 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

Allegedly, Jai Ram Bind and Binder Bind caught Parmeshwar @ Dugu Bind, the son of the informant and the petitioner was assaulting him with knife resulting Parmeshwar @ Dugu Bind died.

Submission is of false implication and that there is no other eye-witness of the occurrence, the story propounded by the informant appears not reliable and probable, due to earlier dispute, the petitioner has been implicated, and as such, he

deserves sympathetic consideration as he is in custody since 29.09.2015, to which the learned APP seriously opposes by submitting that the petitioner is the assailant and the deceased before his death has also stated the name of the petitioner.

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 and accordingly, his such prayer stands rejected in connection with Barahara P.S. Case No. 291 of 2015 pending in the court of learned Chief Judicial Magistrate, Bhojpur at Ara.

(Jitendra Mohan Sharma, J)

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