WEB COPY NOT OFFICIAL

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5610 of 2016

Arising Out of PS.Case No. -174 Year- 2015 Thana -CHHATAPUR District- SUPAUL

==========

1. Umesh Sah Son of Ayoghi Sah Resident of Village- Bhattawari, Police Station- Chhatapur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Sanjeev Verma
For the Opposite Party/s : Mr. Zainul Abedin(App)

==========

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 01-04-2016 Heard the learned counsel for the petitioner, the learned A.P.P for the State as also the learned counsel for the Informant.

The petitioner seeks bail in a case for the offences punishable under sections 147, 148, 149, 341, 323, 324, 307, 504, 379 and 302 of the I.P.C

In the First Information Report there is allegation against the petitioner that he assaulted Domi Sah, the husband of the informant, with farsa on his head resulting he fell down and later on he died, whereas, in the statement of Rajo Sah, the son of the deceased, vide paragraphs- 3 and 27 of the case diary which is the fardbeyan of Rajo Sah there is allegation that Ranjeet Sah assaulted Domi Sah, the father of Rajo Sah with sword on his head

resulting he fell down and became injured and later on he died.

Submission is of false implication and that there is contradiction in the statement of the informant and her son, no reliance can be placed upon such statement, the petitioner without any fault is suffering in custody since 25.07.2015, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that on the person of the deceased two injuries have been found and one must was caused by the petitioner and other by Ranjeet Sah.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, at this stage I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Chhatapur P.S. Case No. 174 of 2015 pending in the court of S.D.J.M. Supaul.

However, the petitioner may renew his prayer for bail after framing of charge.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	