

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12436 of 2016

Arising Out of PS.Case No. -103 Year- 2015 Thana -ROSHANGAANJ District- GAYA

1. Bechu Bhuiyan, Son of Vishun Bhuiyan, Resident of Nauhar, P.S.-
Bankey Bazar, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Rajendra Pd.Nut(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 04-05-2016 Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Raushanganj (Bankey Bazar) P.S. Case No. 103 of 2015
registered for the offences punishable under Sections 341, 323,
326, 307, 447, 504/34 of the Indian Penal Code and
subsequently, Section 302 of the Indian Penal Code has been
added.

Allegedly, for demanding share in Babool tree, the
petitioner and co-accused assaulted the informant with Pasuli
with an intention to kill him but that was caught by the hand
resulting all the five fingers of the informant were cut and injury
was also caused on the neck and when Lalti Devi came for

rescue, she was also assaulted and when Belu Bhuiyan, the father of the informant came for rescue, co-accused Surendra Bhuiyan instigated to kill him and then the petitioner gave Pasuli blow on his head and chick and during treatment, the father of the informant died.

Submission is of false implication and that there is a case and counter case, due to trivial dispute, the occurrence has taken place and the injured Belu Bhuiyan died after 15 days during treatment, all the three injuries found by the Doctor, were simple in nature and, as such, the petitioner deserves sympathetic consideration as he is suffering in custody since 19.06.2015, to which the learned A.P.P. Opposes by submitting that the petitioner is the assailant and corresponding injuries have been found.

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 Raushanganj (Bankey Bazar) P.S. Case No. 103 of 2015 pending in the court of learned Judicial Magistrate, 1st Class, Sherghati at Gaya.

However, considering the detention of the

petitioner, let the trial be expedited and concluded preferably within nine months after receipt of production of the copy of this order.

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(Jitendra Mohan Sharma, J)