

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10423 of 2016

Arising Out of PS.Case No. -86 Year- 2014 Thana -NIMCHAKBATHANI District- GAYA

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1. DILIP YADAV @ DILIP KUMAR son of Sri Deonandan Yadav resident of village - Bahorma Tola Mewa Bigha, P.S. - Nimchak Bathani, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. A.K.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 26-04-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Nimchak Bathani P.S. Case No. 86 of 2014 registered for the offences punishable under Sections 323, 324, 307, 341 and 302/34 of the Indian Penal Code.

Allegedly the petitioner stabbed Dhananjay Yadav, the son of the informant on his back after being instigated by his mother resulting during treatment Dhananjay Yadav died.

Submission is of false implication and that the petitioner is in custody since 13.11.2014 having no criminal antecedent, the occurrence is said to be of 30.07.2014 while

Dhananjay Yadav died on 12.08.2014, no injury was on vital part on the body of the deceased but deceased died due to negligence of the informant, co-accused Arbind Yadav has been allowed bail and, as such, the petitioner also deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that during investigation also the witnesses have supported the allegation that petitioner is the assailant.

In the facts and circumstances stated above, considering that the petitioner is the assailant, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Nimchak Bathani P.S. Case No. 86 of 2014 pending in the Court of learned CJM, Gaya..

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

(Jitendra Mohan Sharma, J)

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