

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12175 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -THAKRAHA District-
WESTCHAMPARAN(BETTIAH)

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1. QUADIR ANSARI @ KADIR ANSARI Son of Late Nasib Ansari,
Resident of Village- Reraha, P.S. Thakaraha (Bhitaha) District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra

For the Opposite Party/s : Mr. Ajay Kumar No.2(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

6 19-05-2016 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, 341, 323, 447, 325, 307, 504 and

302 of the I.P.C

The specific allegation against the petitioner is that in

the occurrence he assaulted the informant with lathi on his head

causing injury and during treatment the informant succumbed to

the injuries.

Submission is of false implication and that the

occurrence has taken place due to the land dispute, there was no

intention to commit murder, the prosecution story as stated is not the true version, during postmortem examination the injury found was due to sharp cutting substance and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant seriously opposes by submitting that the informant who subsequently died in his further statement and other eye witnesses have specifically stated that the petitioner gave lathi blow on the head of the informant causing bleeding and serious injury.

In the facts and circumstances as stated above, considering that the petitioner is the assailant and as such I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Thakraha (Bhitaha) P.S.Case No. 01 of 2016 pending in the court of A.C.J.M. Bagaha (West Champaran).

However, let the trial be expedited and concluded preferably within a period of nine months from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J)

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