

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12270 of 2016

Arising Out of PS.Case No. -98 Year- 2015 Thana -JAHANABAD District- JEHANABAD

=====

1. Shambhu Kumar S/o Rameshwar Bhagat R/o Village- Raja Bazar, South Daulatpur PS+District Jehanabad Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 06-05-2016 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 323, 324, 326, 307 and 302/34 of the I.P.C

The petitioner is named in the First Information Report along with other co-accused and it is alleged that the petitioner was armed with sword and was chasing the father of the informant and in the house the mother of the informant was found dead, whereas, Bhabhi Kabita Devi and Chhotu were lying injured. During investigation the injured Kabita Devi has stated specifically that the petitioner assaulted the mother-in-law

(deceased) and father-in-law with sword resulting the mother-in-law succumbed to the injuries.

Submission is of false implication and that the informant is not an eye witness of the occurrence, there is no injury report of any of the injured, besides Kabita Devi no witness has stated specifically against the petitioner and without any legal and tangible material the petitioner is suffering in custody since 06.11.2014, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the postmortem report also reflects cause of death due to sharp cut injury.

In the facts and circumstances as stated above, considering the statement of injured Kabita Devi 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 Jahanabad P.S.Case No. 98 of 2015 pending in the court of C.J.M. Jahanabad.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--