

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13296 of 2016

Arising Out of PS.Case No. -88 Year- 2015 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

=====

1. Pramod Chaudhary son of Ashok Chaudhary resident of Village - Jagdishpur, P.S. - Nalanda, Dist - Nalanda..... Petitioner

Versus

1. The State of Bihar. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Sahin Begum (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 13-05-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Nalanda P.S. Case No. 88 of 2015 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 337, 504 & 302 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused being armed came at the house of the informant, started abusing and assaulting with lathi-danda and in the meantime the petitioner went on his roof top and thereafter threw brick taking aim on the head of the father of the informant causing serious injury to him and he fell down in the drain. When the father of the informant was brought at Sadar Hospital, Biharsharif he died during treatment.

Submission is of false implication due to dispute of drain,

there was no intention to commit murder, prosecution story appears not probable and reliable, during investigation witness Kishori Paswan has made general and omnibus allegation regarding throwing bricks, during inquest no visible injury was found on the person of the deceased Naresh Paswan and as such the petitioner deserves sympathetic consideration as he is suffering in custody since 18.12.2015 to which learned APP duly assisted by learned counsel for the informant opposes by submitting that during post mortem examination the doctor has found the corresponding injury and cause of death is also due to shock and hemorrhage due to head injury caused by hard and blunt substance.

In the facts and circumstances stated above, at present, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

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

(Jitendra Mohan Sharma, J)

avin/-

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