

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16461 of 2016

Arising Out of PS.Case No. -138 Year- 2015 Thana -PARSABAZAR District- PATNA

Shiv Kumar, S/o Devendra Singh R/O Village- Dhibra, P.S.- Parsa Bazar,
District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Durga Narayan, Advocate

For the Opposite Party : Mr. Amit Kr.Rakesh(APP)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 02-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Parsa Bazar P.S. Case No. 138 of 2015 for the offences
instituted under Sections 324, 336, 307, 120(B) of the Indian Penal
Code.

The prosecution story in brief, is that on 20.08.2015
one Kapli Kumar gave his fardbeyan before the Parsa Bazar P.S.
that on 12.08.2015 in the morning his villager namely Sonu Singh
engaged the informant as daily labour for harvesting the field of
Ghongal Singh by his tractor. It has been further stated that Sonu
Singh told the tractor driver to move tractor with intention to kill
the informant and when the driver moved the tractor as a result of

which left hand of the informant was cut and separated from his body. It is further alleged that Sonu Singh and other unknown persons committed this occurrence with intention to kill the informant.

It has been submitted on behalf of the petitioner that petitioner is in custody since 25.01.2016. Charge sheet has been submitted in the present case. There is no criminal antecedent against the petitioner. There is no allegation of tampering of the witnesses against the petitioner. The petitioner is said to be driver of the tractor and due to accident the informant sustained injury on his arm. Petitioner had no intention to cause injury to the informant.

On behalf of the State it has been submitted that the petitioner committed the offence on the direction of one Sonu Singh and due to petitioner, informant has lost his one arm.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Parsa Bazar P.S. Case No. 138 of 2015, pending in the court of learned C.J.M., Patna.

Rajiv/-

(Sudhir Singh, J.)

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