

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23268 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -BAJPATTI District- SITAMARHI

Ramesh Raut, son of Ashok Raut, resident of village - Basopatti Narha, P.S. Bajpatti, District Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ritesh Kumar Narain Singh, Advocate.

For the Opposite Party : Mr. Sangita Sharma(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 29-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 14.03.2016 in connection with Bajpatti P.S. Case No. 26 of 2016 for the offences instituted under Sections 341, 323, 324, 376/511, 379 and 504/34 of the IPC.

The prosecution story, in brief, is that on the date of occurrence, the petitioner assaulted the informant and forcibly inserted Lathi in the anus of the informant, causing bleeding injury. It is further alleged that the wife and the daughter of the informant came to save then co-accused Ashok Raut attempted to commit illegal act with the wife of the informant after pulling her Saya. Other accused persons assaulted the informant and his wife.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.03.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. He has falsely been implicated in the present case. There is admitted land dispute between the parties.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. The allegations made in the FIR are corroborated by the injury report.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Bajpatti P.S. Case No. 26/2016, pending in the court of the learned J.M. Pupri at Sitamarhi.

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(Sudhir Singh, J)