

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45826 of 2015

Arising Out of PS.Case No. -43 Year- 2015 Thana -SALIMPUR District- PATNA

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1. Ganesh Choudhary Son of Late Kailash Choudhary Resident of village -
Bihta, P.S. Salimpur, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun

For the Opposite Party/s : Mr. Kalyan Shankar (App)

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

5 29-02-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 302, 307, 323 and 34 of the I.P.C

Allegedly, for cleaning the drainage dispute arose
between the parties and thereafter the petitioner and other co-
accused started assaulting the informant, his wife and son and in
the meantime the petitioner assaulted the wife of the informant
with *Baletha* and rod; resulting the wife of the informant died at
the spot.

Submission is of false implication and that there was
free fight between the parties, both sides have received injuries,
the injuries of the petitioner and his wife have not been explained,

there is no allegation that the petitioner inflicted the blow and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that during postmortem four injuries have been found caused by the hard and blunt substance.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, at this stage this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Salimpur P.S. Case No. 43 of 2015 pending in the court of Sri Ashutosh Kumar, J.M. 1st Class, Barh.

(Jitendra Mohan Sharma, J)

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