

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53142 of 2015

Arising Out of PS.Case No. -325 Year- 2012 Thana -SHERGHATI District- GAYA

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1. Bachan Paswan son of Late Rami Paswa @ Ramjee Paswan Resident of Mohalla Ramna (Sherghaty) P.S. Sherghaty District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-01-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Sherghati P.S. Case No. 325 of 2012 registered for the offences punishable under Sections 302, 323/34, 427, 448 and 354 of the Indian Penal Code.

Allegedly, the petitioner assaulted Sona Devi the sister of the informant with sword causing cut injury on her head near left ear resulting she fell down and died and when Rameshwar Yadav tried to catch the petitioner, the petitioner assaulted Rameshwar Yadav also with sword causing injury on his head near left ear, resulting he also died.

Submission is of false implication and that the informant is not the eye witness, there is no allegation that the petitioner

repeated the blow, the post mortem report does not support the prosecution case and the petitioner who is suffering in custody since 20th June, 2015 deserves sympathetic consideration to which learned APP opposes.

In the facts and circumstances stated above and considering that the petitioner is the assailant of two persons, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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