IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53859 of 2015

Arising Out of PS.Case No. -129 Year- 2015 Thana -BELHAR District- BANKA

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1. Ashok Tanti, S/o Late Chhabu Tanti, R/o Village- Bashmata, P.S.- Belhar, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

... . Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Subroteswar De
For the Opposite Party/s : Mr. Rajesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

7 23-02-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Belhar P.S. Case No. 129 of 2015 registered for the offences punishable under Sections 341, 323, 324, 307 and 302/34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused being armed started assaulting Khushboo Devi who has performed love marriage with co-villager Jitendra Kumar and further the accused persons assaulted her with Saval and after snatching the daughter from her lap threw her on the earth resulting to death of the child.

Submission is of false implication and that there is general and omnibus allegation and the manner of occurrence as alleged is not true, there was some altercation and in that altercation the daughter of Khushboo Devi fell down and died, during

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investigation against the petitioner it has been stated that he assaulted with Saval and threw the daughter of Khushboo Devi which cannot be relied and as such the petitioner who is suffering in custody since 02.07.2015 deserves sympathetic consideration to which the learned APP duly assisted by learned counsel for the informant opposes by submitting that the injured Khushboo Devi the mother of the deceased has stated specifically that the petitioner assaulted her with Saval and further the petitioner snatched her daughter Anjani Kumari three and half months old and after throwing her on the earth killed her.

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

However, the learned trial court is directed to expedite the trial.

(Jitendra Mohan Sharma, J)

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