

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57370 of 2015

Arising Out of PS.Case No. -127 Year- 2015 Thana -BEUR District- PATNA

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1. CHANDAN @ SIPAHI @ CHANDAN KUMAR Son of Late Raj Kumar Ram resident of South Mandiri Kathpul Harijan Colony, P.S. Budha Colony, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Yadav

For the Opposite Party/s : Mr. Smt. Indu Kumari Srivastava (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 24-02-2016 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 and 34 of the I.P.C

Allegedly, Chandan Kumar, the under-trial prisoner, died in Adarsh Central Jail, Beur, Patna and it is alleged that he was assaulted by the petitioner and other five accused persons.

Submission is of false implication and that there is no specific allegation against the petitioner, some altercation has taken place and the petitioner was not involved in that altercation but he has been named with ulterior motive, at the time of occurrence the petitioner was in custody in the Juvenile Ward and

without any legal and cogent material he is suffering in custody since 04.07.2015.

The learned A.P.P. opposes prayer for bail by submitting that during investigation other prisoners have stated the name of the petitioner also that he and others were involved in the occurrence. On the person of the deceased multiple injuries have been found.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Beur P.S. Case No. 127 of 2015 pending in the court of Sri Madhvendra Singh, J.M. 1st Class, Patna.

(Jitendra Mohan Sharma, J)

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