

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57962 of 2015

Arising Out of PS.Case No. -42 Year- 2011 Thana -MAUZAHDIPUR District- BHAGALPUR

1. Suresh Das Son of Late Rameshwar Das Resident of Village -
Mohammadabad, P.S.- Mojahidpur (Babarganj), District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Gulnar Begum(App)

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

ORAL ORDER

4 17-02-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Mojahidpur
(Babarganj) P.S. Case No. 42 of 2011 registered for the offence
punishable under Sections 302/34 of the Indian Penal Code.

Allegedly, the petitioner and his son Vishnu Das took
away the husband of the informant inside their house, resulting,
the son of the informant raised alarm and then the informant also
went there and saw her husband injured and her husband told her
that Vishnu Das caught him and the petitioner gave knife blow.
Thereafter, the husband of the informant was brought to the
hospital where he succumbed to the injury.

Submission is of false implication and that due to land
dispute the petitioner has been implicated, the informant has not

seen the occurrence but she has lodged the fardbeyan as an eye witness, no motive has been assigned to commit the murder and as such the petitioner who is suffering in custody since 15.05.2015 deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering that the petitioner is the assailant, 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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