

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58243 of 2015

Arising Out of PS.Case No. -167 Year- 2015 Thana -HUSAINGANJ District- SIWAN

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1. Amaluddin S/o Md. Hussain Resident of Village - Pratap Pur, P.S. -
Hussainganj, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

6 05-04-2016 Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in a case for the offences

punishable under sections 341, 323, 324, 307 and 302/34 of the

I.P.C

Allegedly, when the informant, his father and brothers

were cleaning the land for ploughing, the petitioner and other FIR

named accused persons came, armed with sword and knife and

after being instigated by the petitioner and co-accused Kayamudin

and Aliaz, the accused persons started assaulting with knife and

further Md. Imran was assaulted by them by knife 3-4 times in the

stomach resulting he was declared dead at Sadar Hospital, Siwan

and further Md. Azad, Md. Imrafil were also assaulted by them causing injury.

Submission is of false implication and that there is case and counter case, only one injury has been found on the person of the deceased and there is no specific allegation against any one and as such the petitioner who is suffering in custody since 13.08.2015 deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, at present this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Hussainganj P.S. Case No. 167 of 2015 pending in the court of the C.J.M. Siwan.

However, in view of the earlier direction, the learned trial court is directed to commit the case at once so that the trial be expedited and concluded as early as possible.

(Jitendra Mohan Sharma, J)

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