

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32931 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -SURSAND District- SITAMARHI

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Indal Thakur son of Surat Thakur resident of Village- Hanuman Nagar,
Tole- Ramnagar, P.S.- Sursand, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashhar Mustafa

For the Opposite Party : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 28-09-2016 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 147, 148, 149, 341, 323, 307, 302 and 504 of the Indian
Penal Code.

The allegation against the petitioner is of committing
assault on the head of the father of the informant by means of
Khanti, as a result of which, he fell down and became
unconscious and subsequently during the course of treatment, the
father of the informant died.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 06.05.2016. The charge sheet has
been submitted in the present case. The petitioner has got no

criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case and there is admitted dispute pending between the parties.

On behalf of the state and the counsel for the informant, it has been submitted that the petitioner is named in the F.I.R. Specific allegation of assault has been alleged against the petitioner, causing injury by *Khanti* on the head of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Sursand P.S. Case No. 43 of 2016, pending in the court of learned Chief Judicial Magistrate, Sitamarhi.

Anyhow, the court below is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J.)

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