

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31590 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -CHANDI District- BHOJPUR

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1. Santosh Singh Son of Late Satyendra Singh Resident of village-
Narbirpur, P.S.- Chandi, District- Bhojpur Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar Ray

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 15-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Chandi P.S.
Case No. 34 of 2016 registered for the offences punishable under
Sections 147, 323, 324, 354 (A), 307 of the Indian Penal Code in
which Section 302 IPC was added subsequently.

Allegedly, the petitioner and other co-accused being
tempo driver misbehaved with the mother of the informant in the
tempo and when they came to know that she is the sister of Saroj
Yadav, M. L. A., then they planned to kill her and assaulted with
rod on her head and threw her on the road. Thereafter, the
villagers brought her at Sadhna Medical at Chandi Bazar and she
became unconscious. The villagers told the number of tempo and
the name of drivers.

Submission is of false implication and that the petitioner has got no criminal antecedent, there was no motive or intention to commit the crime, the petitioner is aged about 20-22 years and the deceased was like his mother and so question of misbehaving with her does not arise, only on suspicion the petitioner has been implicated, the deceased was in unconscious state, so she was unable to state anything and as such naming of petitioners not probable and reliable to which learned APP seriously opposes by submitting that witnesses Dineshar Singh in paragraph 7 and Kamendra Kumar vide paragraph 8 of the case diary have stated the name of the petitioner also that he gave iron rod blow on the head of the deceased and further pushed her down on the road from the tempo.

In the facts and circumstances stated above, considering the seriousness of the allegation, 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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