

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27864 of 2016

Arising Out of PS.Case No. -151 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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Jhunu Singh son of Sri Bhavan Singh, resident of village Jihuli, Police
Station Patahi, District-East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-08-2016 Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Patahi P.S. case No.151 of 2015 instituted for the offence under Section 302 of the Indian Penal Code, pending in the court of A.C.J.M. VIII, Motihari, East Champaran.

The prosecution case, in brief, is that on 12.9.2015 the informant and his father Bhadai Thakur were doing cultivation work in their land. In the meantime, his villager Jhunnu Singh i.e. the petitioner came there and told his father that where is Bridha Pension money and abused him, then his father replied that Bridha Pension money is not in his possession. Thereafter the petitioner assaulted his father with Dab on his neck, as a result of which his father died on the spot. Due to fear the informant fled away and

narrated the fact to his other family members and the villagers. Then the villagers and his family members came and saw the dead body.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.09.2015 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. The informant is sole eye witness to the alleged occurrence. The injury found on the body of the deceased has not been explained by the informant in the F.I.R.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. There is direct allegation of assault against the petitioner and the deceased has succumbed to the said injury.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The Court below is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J)

Narendra/-

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