

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46288 of 2016

Arising Out of PS.Case No. -215 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)
=====

Sita Ram Bind son of Dwarika Bind, resident of Village- Bharkhar, P.S.-
Mohania, District- Kaimur.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr. Dharmendra Kumar Singh
For the Opposite Party/s : Mr. Smt Sangeeta Sharma
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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 22-11-2016 Heard the counsel for the petitioner, the informant as well as the State.

The petitioner prays for bail in Mohania P.S. Case No. 215 of 2016 registered under sections 307 and 302 IPC.

It is alleged that while the informant was sleeping with his father inside the house, the accused persons named in the FIR including the petitioner intruded into the house and started assaulting the father of the informant. Specific allegation against the petitioner is of having inflicted Lathi blow on the head of his father. Further allegation is that they all indiscriminately assaulted the father as well as the informant.

The contention of the petitioner is that the allegation is general and omnibus. Some other accused persons of the case have

been released on bail. In fact, the deceased was suffering from diverse ailments which contributed to his death on the following day of the assault. The petitioner is in custody since 10.06.2016.

Counsel for the State as well as the informant, on the other hand, submitted that the post mortem report supports the allegation attributed to the petitioner. So far as the released of other accused persons on bail is concerned, the allegation was general and omnibus.

Considering the allegation and other materials reflected from the record, I am not persuaded to extend the petitioner the privilege of bail for the present. Prayer is accordingly rejected.

(Kishore Kumar Mandal, J)

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