

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13835 of 2016

Arising Out of PS.Case No. -4 Year- 2015 Thana -RAGHUNATHPUR District- SIWAN

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1. Dhananjay Chauhan Son of Hari Shankar Chauhan resident of Village - Gabhirar, Police Station Raghunathpur, District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. B.M.P Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 11-05-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 341, 323, 447, 307, 504/34 and 302 of the I.P.C

Allegedly, the petitioner assaulted Gauri Shankar Chauhan, the husband of the informant, with lathi on his head with an intention to kill him resulting ruptured of the head and he fell down and became senseless and thereafter the petitioner and other co-accused assaulted him and when the informant went for rescue she was also assaulted by them. However, during treatment Gauri Shankar Chauhan died.

Submission is of false implication and that there was

no intention to commit murder, the occurrence has taken place due to the trivial dispute, the medical evidence does not corroborate the prosecution version, the petitioner is suffering in custody since 10.04.2015 and as such he deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that on the head of the deceased injury was found and the cause of death is also due to the head injury caused by the hard and blunt object.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sessions Trial No. 457 of 2015 arising out of Raghunathpur P.S. Case No. 04 of 2015 pending in the court of the Additional Sessions Judge- 3rd, Siwan.

However, let the trial be expedited and concluded preferably within a period of nine months from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J)

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