

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12279 of 2016

Arising Out of PS.Case No. -178 Year- 2015 Thana -KARAKAT District- SASARAM (ROHTAS)

1. Bipin Bihari Yadav @ Bipin Bihari Yadava S/o Bhaiya Ram Yadav
Resident of Village- Chugadikala, PS Karakat, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Meena Singh

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-05-2016 Heard the learned counsel for the petitioner, the learned A.P.P for the State as also the learned counsel for the Informant.

The petitioner seeks bail in a case for the offence punishable under section 302 of the I.P.C

Allegedly, the petitioner entered into the house of the informant with an intention to outrage the modesty of Suryakanti Devi, the married daughter of the informant, and started catching her and when the wife of the informant came for rescue she was assaulted by the petitioner on her chest, abdomen by feet and fat resulting she became seriously injured and when she was brought for treatment at Bose Clinic, Dehari she was declared dead.

Submission is of false implication and that there was no intention to commit murder, the petitioner was not armed with

any weapon, in the postmortem report the cause of injury is due to the hard and blunt substance, it can be a case under section 304 of the I.P.C and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the eye witness Suryakanti Devi has stated that the petitioner after catching the mother got down her and started assaulting with feet and fat causing severe injuries and by feet such injuries can be caused.

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 Karakat P.S. Case No. 178 of 2015 pending in the court of S.D.J.M. Bikramganj (Rohtas).

However, considering detention of the petitioner, 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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