

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27921 of 2015

Arising Out of PS.Case No. -126 Year- 2012 Thana -MARHAURA District- SARAN

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Rafique Mian @ Rafique Miya, S/o Late Jahir Mian @ Late Jahir Miya, R/o
Vill. - Nautan Mathia, P.S. Marhaurah, District - Saran at Chapra

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. M.Haque, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

4 27-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

This is a petition for grant of regular bail in a case
under Sections 147, 148, 149, 323, 307 and 302 of the Indian
Penal Code.

There is specific allegation that petitioner gave a Dab
blow on the head of the father of the informant as a result of which
he died. However, post-mortem report shows that the injury is on
the head of the deceased, which was given by the petitioner.

Learned counsel for the petitioner submits that there
is a case and counter case and injury on the person of the deceased
is simple and superficial.

Hence, having regard to the facts and circumstances

of the case, I am not inclined to grant bail to the petitioner in connection with Marhaurah P.S. Case No. 126 of 2012 pending in the Court of learned Judicial Magistrate 1st Class, Saran at Chapra.

Accordingly, the prayer for bail is rejected.

(Gopal Prasad, J)

Vats/-

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