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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17954 of 2016
Arising Out of PS.Case No. -442 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

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Turanti Das son of Late Jago Das resident of Village - Ghoghapatti, Police Station - Sour Bazar, District - Saharsa..... .... Petitioner

Versus

The State of Bihar. ... . Opposite Party

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Appearance :
For the Petitioner : Mr. Pravin Kumar Sinha (Advocate)
For the Opposite Party : Mr. D.P. Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 27-06-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Sour Bazar (Patarghat) P.S. Case No. 442 of 2014 registered for the offences punishable under Sections 147, 149, 341,323,324,307 and 504 of the Indian Penal Code. Later on Sections 302 I.P.C. and 27 of the Arms Act were also added.

Allegedly, the petitioner and other co-accused assaulted Domi Yadav, the father of the informant, with Dabia, Garasa and spade and when the informant went there he was also assaulted by them. During investigation witness Parmanand Yadav has stated that the petitioner gave a spade blow on the head of Domi Yadav resulting he became injured and fell down.

Submission is of false implication and that in the first information report there is no specific allegation, Domi Yadav

died after 51 days of the occurrence, there was no intention to commit murder, due to trivial dispute the occurrence has taken place and as such the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that the petitioner has given fatal blow on the head of Domi Yadav with spade and as such I am not inclined to enlarge him on bail and accordingly, his such prayer stands rejected in connection with Sour Bazar (Patarghat) P.S. Case No. 442 of 2014 pending in the Court of learned Chief Judicial Magistrate, Saharsa.

However, learned trial court is directed to expedite the trial and concluded the same as early as possible, preferably within nine months from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J)

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