

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42254 of 2015

Arising Out of PS.Case No. -63 Year- 2012 Thana -GUTHNI District- SIWAN

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1. Shambhu Bhagat Son of Brij Kishore Bhagat Resident of village -
Sahpur, Police Station - Nautan, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Manish Kumar No.2(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

5 11-03-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner being aggrieved by the order dated 22.07.2015 passed in Cr. Appeal No. 15 of 2015, whereby and whereunder, prayer for bail and suspension of sentence were rejected by the learned Additional District & Sessions Judge-III, Siwan, has filed this Criminal Miscellaneous. The petitioner has been found guilty for committing the offence punishable under sections 342/34 and 307/34 of the I.P.C. and was sentenced to undergo imprisonment for six months and seven years and also to pay fine of Rs. 5,000/- respectively in Sessions Trial No. 150 of 2013 arising out of Guthani P.S. Case No. 63 of 2012, G.R. No. 458 of 2012.

Having gone through the copy of the judgment vide

Annexure-2 it is apparent from paragraph-13 of the judgment that as many as 13 injuries have been found on the person of the injured and out of that six injuries are on the scalp and those injuries are bone deep. Earlier also prayer for bail of the petitioner was rejected vide Cr. Misc. No. 51795 of 2013. Against the petitioner finding sufficient evidence he has been convicted by the learned trial Judge and the appeal is pending.

In the facts and circumstances stated above, I am not inclined to release the petitioner on bail and accordingly his such prayer stands rejected in connection with Cr. Appeal No. 15 of 2015 pending in the court of the learned Additional District & Sessions Judge-III, Siwan.

However, the learned Additional District & Sessions Judge-III, Siwan is directed to dispose of the appeal as early as possible.

(Jitendra Mohan Sharma, J)

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