

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10647 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Md. Sahnawaj Mistri @ Shahnawaj Ansari son of Abdul Rahman Ansari
Resident of Village- Mohania, Ward No.7, Police Station- Mohania,
District- Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 302 of the Indian Penal Code and sections 3(1)(x)(xi and 2(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The prosecution case is that the mother in law of the informant namely Shakuntala Devi was assaulted with bricks on 6.1.2016 when the informant took her mother in law to the hospital for treatment. The victim subsequently died on 8.1.2016 due to serious chest pain.

It is submitted by the learned counsel for the petitioner that the FIR has been lodged on 8.1.2016 for the occurrence of

6.1.2016 after the death of the victim and the victim died due to illness and not due to any assault injury. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation, let the learned court below consider the prayer for regular bail of the petitioner in case the petitioner surrenders within six weeks from today in connection with Mohania P.S. Case No.17 of 2016 pending in the court of learned C.J.M. Kaimur at Bhabua.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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