

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29128 of 2016

Arising Out of PS.Case No. -67 Year- 2016 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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Dharmvir Ram Son of Vishnu Ram, resident of Village- Gonawan, Police
Station Harnaut in the district of Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the State : Mr. Jagdhar Prasad, APP
For the Informant : Mr. Sanjay Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-09-2016 Heard learned counsel for the Petitioner, the State and

the informant.

The Petitioner seeks bail in Harnaut P.S. case No.67 of
2016 instituted for the offence under Sections 341, 323, 307, 504
and 302/34 of the Indian Penal Code, pending in the court of Chief
Judicial Magistrate, Bihar Sharif.

The prosecution case, in brief, is that informant, who
lives in Delhi, got information on 26.2.2016 at about 11 A.M. that
accused persons including the petitioner abused and assaulted the
father of the informant, namely, Ramdeo Ram by means of lathi,
danda and broom and they pushed him down from the roof, on
account of which he sustained severe injury and was admitted in

the clinic of Dr. Arun Kumar. He was referred to Patna for better treatment but during course of treatment he died in P.M.C.H.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.4.2016 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. General and omnibus allegation has been made against the petitioner. No specific injury has been attributed against him.

On behalf of the State and the learned counsel for the informant, it is submitted that the petitioner and his brother are alleged to have assaulted the deceased with lathi. The postmortem report also supports the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected.

(Sudhir Singh, J)

Narendra/-

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