

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12101 of 2016

Arising Out of PS.Case No. -161 Year- 2015 Thana -SAKRA District- MUZAFFARPUR

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1. Rajesh Kumar S/o Rameshwar Mahto, R/O Village- Sujawalpur, P.S.- Sakra, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Amitesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-05-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 323, 341, 504, 307 and 302 of the I.P.C

Allegedly, the petitioner started assaulting Kameshwar Mahto, the father of the informant, with wooden danda causing injuries to him and during treatment the father of the informant died.

Submission is of false implication and that there was no intention to commit murder, the father of the informant was aged about 85 years, he died due to his old age but due to enmity the petitioner who is own cousin of the informant has been implicated, there is land dispute also between the parties and

during investigation it has come that fight was going on between father and son and when the petitioner went to intervene he has been implicated and the petitioner is suffering in custody since 06.01.2016.

The learned A.P.P. opposes prayer for bail by submitting that the deceased died due to haemorrhage and shock as a result of three injuries caused to him by the hard and blunt object and the witnesses have also supported the informant's version.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sakra P.S. Case No. 161 of 2015 pending in the court of the C.J.M. Muzaffarpur.

However, considering detention of the petitioner, let the trial be expedited and concluded preferably within a period of nine months from the date of receipt/production of a copy of this order, failing which the petitioner, if at no fault, may renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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