

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5219 of 2016

Arising Out of PS.Case No. -126 Year- 2014 Thana -SINGHIYA District- SAMASTIPUR

Tulsi Kumar Singh Son of Biru Singh Resident of Village - Sibbaiya, P.S. - Singhiya, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Amit Kr.Rakesh(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-03-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Singhiya P.S. Case No. 126 of 2014 registered for the offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code.

Allegedly, the petitioner, other four FIR named accused persons and 3-4 un-known being armed started assaulting Laliteshwar Prasad Singh @ Bakhori Singh, the husband of the informant wherein, co-accused Prince Kumar Singh was assaulting with *Tengari* and the petitioner and other co-accused were assaulting with *Lathi* and *Fatha* indiscriminately resulting Laliteshwar Prasad Singh became injured and during treatment at Darbhanga Medical College and Hospital, Darbhanga he died.

Submission is of false implication and that against the petitioner there is no specific allegation, the petitioner has got no criminal antecedent, the story propounded by the informant appears not probable and reliable, there was no motive to commit the murder, only three injuries have been found on the person of the deceased and, as such, the petitioner suffering in custody since 19.11.2015, deserves sympathetic consideration to which the learned A.P.P. seriously opposes.

In the facts and circumstances stated above, considering the allegation that the petitioner has also assaulted the deceased brutally and multiple injuries have been found on the person of the deceased and, as such, at this stage, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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