

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6523 of 2016

Arising Out of PS.Case No. -154 Year- 2015 Thana -AJAMNAGAR District- KATIHAR

Sushant Kumar Das @ Chhotan @ Susanta Kr. Das Son of Vinay Kumar Das, R/o Village- Mukuria, P.S.- Azam Nagar (Salmari O.P.), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate
For the Opposite Party/s : Mr. Shakir Ahmad(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 11-04-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with AzamNagar (Salmari O.P.) P.S. Case No. 154 of 2015 registered for the offences punishable under Sections 341, 323, 307/504 of the Indian Penal Code.

Allegedly, the petitioner assaulted the informant with rod of the tempo causing injury on his head and he became senseless and thereafter, in emergency ward of Sub-divisional Hospital, Barsoi his fardbeyan was recorded. During treatment the informant died.

Submission is of false implication and that as alleged, the petitioner has caused injury on the head which was found simple in nature, during treatment operation was performed in his stomach and thereafter, he died and, as such, the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that witnesses during investigation have stated that the petitioner assaulted with iron rod on his head and with fist on his stomach and chest also. The learned A.P.P. has referred para 6, 7 and 8 of the case diary.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, 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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