

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53685 of 2015

Arising Out of PS.Case No. -34 Year- 2015 Thana -ANDHRAMATH District- MADHUBANI

Kamal Deo Raut @ Kapil Deo Raut @ Kapal Deo Raut Son of Late Ram Deo Raut Resident of Village - Bajuband, Police Station - Andhramath, District - Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad

For the Opposite Party/s : Mr. Zainul Abedin (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-01-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Andhramath P.S. Case No. 34 of 2015 registered for the offence under Sections 302/34 of the Indian Penal Code.

Allegedly, in the occurrence the petitioner assaulted with handle of hand pump to Nilu Devi, the daughter of the informant, on her abdomen resulting she fell down and later on died during treatment.

Submission is of false implication and that no offence under Section 302 I.P.C. is not made out, there was no intention to commit murder, during investigation the witnesses have stated that

the petitioner assaulted with iron mussel and medical evidence also does not corroborate the prosecution version. The petitioner is in custody since 08.07.2015 having no criminal antecedent.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that the petitioner is the assailant and as such this court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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