

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28493 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -BISFI District- MADHUBANI

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Md. Riyaz son of late Hadish, Resident of village Basbariya, P.S. Bisfi,
District Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 10-11-2016 Heard learned counsel for the petitioner and Mr.

Dayal APP for the State.

The petitioner is facing prosecution under Sections
341, 323, 304 and 504/34 of the IPC vide Bisfi P.S. case no.
7/2016.

While the younger brother of the informant was
playing card with co-accused including the petitioner, it is alleged
that, on scuffle, the other players including the petitioner started
assaulting the deceased. Petitioner is specifically alleged to have
assaulted on the testicle of the deceased. In course of carrying
him to the hospital the victim died.

It is submitted that there was no intention on the part
of the petitioner to commit the offence. If at all it happened, the
same happened on the spur of the moment.

On going through the relevant materials, in my view,
this may be a case for grant of regular bail but not a fit case for
grant of anticipatory bail.

Rejected.

(Kishore Kumar Mandal, J)

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