

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45884 of 2015

Arising Out of PS.Case No. -205 Year- 2014 Thana -LAXMIPUR District- JAMUI

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1. Punit Yadav S/o Fuleswar Yadav Resident of Village Chinberia, P.S. Laxmipur, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Indra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 29-02-2016 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, 324, 307 and 302/34 of the I.P.C

Allegedly, in the occurrence the petitioner brought sword from the house and with an intention to kill assaulted Chano Yadav on his head and when the mother of the informant came to rescue she was also assaulted by the co-accused and further other co-accused assaulted others. During treatment Chano Yadav died.

Submission is of false implication and that for removing the motorcycle from the lane altercation started, there was free fight between the parties, there is case and counter case,

there was no intention to commit murder, the deceased died as he was not treated properly and the petitioner has got no criminal antecedent, who is suffering in custody since 28.01.2015.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner is the assailant.

In the facts and circumstances as stated above, considering that the petitioner is the assailant and as such at this stage this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Laxmipur P.S. Case No. 205 of 2014 pending in the court of S.D.J.M. Jamui.

(Jitendra Mohan Sharma, J)

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