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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56431 of 2015

Arising Out of PS.Case No. -72 Year- 2013 Thana -JANTA BAZAR District- SARAN

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1. Brij Kishore Sharma S/o Raghunath Sharma, a resident of village- Harpur Kothi, P.S.- Janta Bazar, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Harish Kumar
For the Opposite Party/s : Mr. M.K.Nirala(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 26-02-2016 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 147, 341, 323, 324, 307, 302 and 504 of the I.P.C

Allegedly, in the occurrence the petitioner gave *Farsa* blow on the head of Ram Rajya Sharma, the husband of the informant, and also to Jitendra Sharma, the son of the informant and Ram Rajya Sharma succumbed to the injuries.

Submission is of false implication and that the manner of occurrence as alleged by the informant is not the true version, during postmortem the injury found is caused by the hard and blunt substance, only one injury has been found on the person of

the informant, the injured Jitendra Sharma has given different version in his statement and as such the petitioner who is suffering in custody since 25.06.2015 deserves sympathetic consideration, the other co-accused, namely, Raghunath Sharma and Kaushalya Devi have been allowed bail.

The learned A.P.P. opposes prayer for bail by submitting that during postmortem one stitched wound carved shaped was found from the frontal part of skull to temporal region on right side of the deceased and that was due to the blow inflicted by *Farsa.*

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, at this stage this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Janta Bazar P.S. Case No. 72 of 2013 pending in the court of C.J.M. Saran.

(Jitendra Mohan Sharma, J)

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