

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29607 of 2016

Arising Out of PS.Case No. -16 Year- 2011 Thana -BHELDI District- SARAN

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Bauna Sah @ Bauna Kumar @ Sacchitanand Sah Son of Kumbhlal Sah,
Resident of village - Jogani Parsa, P.S. Bheldi, District - Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Smt. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2016 Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Bheldi P.S. case No.16 of 2011 instituted for the offence under Sections 302/34 of the Indian Penal Code, pending in the court of Sri Amrendra Kumar, Judicial Magistrate, Saran, Chapra.

The accusation is that the father of the informant, namely, Dhanraj Sah was caught hold by Kumlal Sah when his two sons Amarjeet Sah and the petitioner Bauna Sah inflicted repeated knife blows and subsequently other accused persons assaulted him with lathi, due to which the father of the informant has died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 1.6.2016 and the charge sheet has

been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. In paragraph 17 of the case diary the wife of the deceased has made general and omnibus allegation. No specific injury has been attributed against the petitioner by the said witness.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner and co-accused Amarjeet Sah have given knife blow upon the deceased. The postmortem report supports the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The Court below is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J)

Narendra/-

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