

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33045 of 2016

Arising Out of PS.Case No. -117 Year- 2015 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

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1. Shiv Shankar Das Son of Sri Jagdip Das Resident of Village- Hilalpur
Police Station Industrial Area, Hajipur District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Industrial Area P.S.Case No. 117 of 2015 registered under Sections 323, 341, 324, 307, 379 and 34 of the Indian Penal Code. Later on Section 302 IPC was added, pending in the Court of learned C.J.M., Vaishali at Hajipur.

The allegation against the petitioner is that he assaulted the husband of the informant by iron Khanti and made him injured. Thereafter the informant took her husband in injured condition to hospital for treatment but later on he died.

It is submitted on behalf of the petitioner that the petitioner is in custody since 07.04.2016. Charge sheet has been submitted in this case. The petitioner has got no criminal

antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been made accused in the present case. Both the parties are next door neighbours. There is admitted enmity between the parties. All accused persons are said to have assaulted the deceased.

On behalf of the State, it is submitted that the petitioner is named in the FIR. It is alleged that he had given Khanti blow on the head of the deceased causing fatal injury leading to the death of the deceased. Post Mortem Report also supports the allegation made in the FIR..

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

(Sudhir Singh, J)

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