

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40458 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -BHIMPUR District- SUPAUL

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Bablu Singh Son of Dharmnath Singh Resident of Village- Khajurwari,
Police Station- Kursakata, District Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 22-11-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under

Sections 324 and 302 of the Indian Penal Code.

The informant claims that it was petitioner who killed

the deceased though the occurrence is said to have taken place in

the house of the informant but almost all the witnesses have

supported the prosecution case.

Learned counsel for the petitioner submits that

according to the prosecution case, the alleged occurrence took

place in the noon of 26.2.2016 and the postmortem report on the

corpus of the deceased was done on 26.2.2016 at 4.40 P.M. but

rigor mortis was found in four limbs of the dead body by the

doctor and, therefore, the aforesaid fact completely falsifies the prosecution case.

In my view, it is not a proper stage to make any comment on the postmortem report. However, considering the materials available on the record as well as facts and circumstances of the case, I am not inclined to release the petitioner on bail and, hence, his prayer for bail in connection with Bhimpur P.S. Case No.11 of 2016 pending in the court of Sri Sunil Kumar, J.M., Supaul stands rejected.

(Hemant Kumar Srivastava, J)

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