

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48040 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -BACHWARA District- BEGUSARAI

=====

1. SUBASH CHAUDHARY @ SUBHASH CHAUDHRY Son of Madan Chaudhary, Resident of Village - Bachchwara, P.S. - Bachchwara, District - Begusarai. Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha
For the Opposite Party/s : Mr. Ambika Bhagat (Spl.App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-01-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Bachchwara P.S. Case No. 10 of 2015 registered for the offences punishable under Sections 341, 323, 504, 302/34 of the Indian Penal Code and Sections 3(ii) (iv) of SC/ST (Prevention of Atrocities) Act.

Allegedly, Birendra Paswan, the younger son of the informant, went to attend the call of nature at the bank of Balan River where he was abused and brutally assaulted by some of the boys and this information was given by villager Sanichar Das then the informant went there, found his son injured. The injured was brought for treatment at sub-divisional hospital, Dalsinghsarai but he died.

Submission is of false implication and that the

petitioner is not named in the FIR, at the relevant time he was under treatment of Dr. Navin Bhashkar, he has got no criminal antecedent and as such he deserves sympathetic consideration as he is suffering in custody since 13.07.2015 to which the learned APP opposes by submitting that eye witnesses namely, Rajeev Chaudhary and Ram Shankar Jha vide paragraph 37 and 38 of the case diary have stated the names of four accused persons including the petitioner that they brutally assaulted with lathi and danda to the deceased and threw him.

In the facts and circumstances stated above, considering that just after the occurrence two eye witnesses have stated the name of the petitioner also that he and other co-accused persons brutally assaulted the deceased and threw him, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--