

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4885 of 2017

Arising Out of PS.Case No. -243 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Anil Singh, son of Late Bam Shankar Singh, resident of village-Panapur
Langa, P.S. Sadar Hajipur, District-Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 09-03-2017 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner seeks bail in connection with Hajipur Sadar P.S.
Case No.243 of 2016 registered under Sections 147, 148, 149, 341, 323,
302 and 307 of the Indian Penal Code, pending in the court of the Chief
Judicial Magistrate, Vaishali at Hajipur.

The accusation is that Satyendra Singh, the brother-in-law of
the informant, informed the informant about causing injury to her
husband by 12 persons, named in the F.I.R., including the petitioner due
to land dispute. At that time, the co-accused Hari Shankar Singh and
Anil Singh (petitioner) caused injury to her husband through knife at
the stomach and eyes of the husband of the informant. Later on, the
husband of the informant died.

Learned counsel appearing on behalf of the petitioner submits



that the informant is not an eye witness to the occurrence rather the occurrence is said to be seen by Satyendra Singh, the brother-in-law of the informant, whose statement has been recorded at paragraph-83 of the case diary, who stated that the co-accused Hari Shankar Singh gave knife blow twice to the deceased, the husband of the informant, whereas this petitioner and others caused injury to the deceased, the husband of the informant, through bat. As such, no specific overt act has been attributed to the petitioner. The petitioner is in custody since 01.09.2016.

On the other hand, learned A.P.P. for the State opposed the prayer of the petitioner for grant of bail with the submission that four injuries were found on the person of the deceased, the husband of the informant, out of which two injuries were caused by sharp cutting weapons and two injuries were caused by hard and blunt substance.

Having regard to the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

P.S./-

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