

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9650 of 2017

Arising Out of PS.Case No. -200 Year- 2015 Thana -BARARI District- KATIHAR

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1. Sk. Hanuj Son of Late Maniruddin, Resident of Village- Jagdishpur, P.S.-
Barari, District- Katihar,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 16-03-2017 Heard Mr. Bhola Prasad counsel for the petitioner
and APP for the State.

The petitioner seeks bail in connection with Barari
P.S. case no. 200 of 2015, registered under Sections,
147,148,149,447,321,323,307,302 and 504 of the IPC.

While the informant was at the field noticed that his
ridge was being altered by the petitioner. A protest was made
whereafter accused persons cited in the FIR started assaulting him.
His son (deceased) came to his rescue when he too was assaulted
by the accused persons. The allegation further is that the petitioner
gave a spade blow on the head of his son as a result whereof he
died.

Learned counsel for the petitioner submits that there



is general and omnibus allegation. Owing to land dispute the petitioner has been falsely implicated in this case. He is in custody since 29.10.2015.

Learned APP for the State, on the other hand, submits that the petitioner is the assailant of the deceased. Referring to the impugned order, he submits that several witnesses cited therein have supported the prosecution case inasmuch as the post mortem report also corroborates the allegation attributed to the petitioner.

Considering the seriousness of the allegations and other materials reflected from the record, I am not persuaded to grant bail to the petitioner. Prayer is, accordingly, rejected.

Let the trial Court expedite the trial and examine all the relevant prosecution witnesses within one year from the date of receipt/communication of a copy of this order, failing which the petitioner shall have liberty to renew prayer for bail in the Court below itself.

(Kishore Kumar Mandal, J)

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