

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8693 of 2017

Arising Out of PS.Case No. -87 Year- 2016 Thana -BELSAND District- SITAMARHI

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Binod Bhagat Son of Late Nathuni Bhagat, Resident of Village-Bhandari,
P.S. Belsand, District-Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-03-2017 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner seeks bail in Belsond P.S. Case No.87
of 2016 registered for the offence under Sections 302/34/504 of
the Indian Penal Code.

There is allegation against the petitioner in the
written report that he gave one blow of iron rod on the informant
but the iron rod hit the elder mother of the informant aged 70 years
causing injury on her head and she died.

Post mortem report has been filed as Annexure-4 in
which the Doctor has found the injury on the head of the deceased
and opined that the cause of death was on account of aforesaid
head injury.



It has been submitted that there is counter case also in which injury has been sustained by the petitioner and his wife as per the injury report which has been filed as Annexure-3 series.

It has been submitted on behalf of the informant that the case filed by the petitioner vide Belsand P.S. Case No.88/16 is subsequent to the case lodged by the informant's wife as Belsand P.S. Case No.87/16.

As per the written report there is specific allegation against the petitioner in the instant case of assaulting with iron rod on the head of the deceased.

Considering the facts and circumstances of the case and nature of allegation, I am not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner is, accordingly, rejected.

(Sanjay Priya, J)

AnilKrSinha/-

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