

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10548 of 2017

Arising Out of PS.Case No. -351 Year- 2016 Thana -MARHAURA District- SARAN

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Pramod Sah, Son of Munnilal Sah, resident of village - Ujari Senduari, P.S.
Marhowrah, District - Saran at Chapra.

.... 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

4 17-05-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Marhowrah
P.S. Case No.351 of 2016 registered under Sections 302/34 of the
Indian Penal Code, pending in the court of the 2nd Additional
Chief Judicial Magistrate, Saran at Chapra.

The accusation is that due to drainage of the dirty water in
the way by the petitioner, his father, namely, Munnilal Sah and
his wife, namely, Meera Devi, Mahavir Sah, the father of the
informant Sunil Kumar Sah, made protest upon which this
petitioner started to abuse the father of the informant and caused
assault through lathi at the head of the father of the informant, as a



result of which the father of the informant fell down and, thereafter, Munnilal Sah and Meera Devi caused injury at the left hand of the father of the informant due to which and the father of the informant became unconscious. The father of the informant was rushed to Chapra Sadar Hospital from where he was referred to P.M.C.H. where the father of the informant died on 18.07.2016.

Learned counsel appearing on behalf of the petitioner submits that while the occurrence is said to be of 05.07.2016 but the F.I.R. was lodged by the informant on 18.07.2016 without any proper explanation. Moreover, there is allegation against the petitioner to cause injury at the head of the father of the informant through lathi but there was no repetition of blow by the petitioner on the person of the father of the informant. The petitioner having no criminal antecedent is in custody since 23.12.2016.

On the other hand, learned A.P.P. for the State opposed the prayer of the petitioner for grant of bail with the contention that two injuries were found on the person of the deceased, the father of the informant, i.e., one abrasion on forehead and another bruise on the left wrist of the deceased, the father of the informant, and the cause of the death of the deceased, the father of the informant, is said to be head injury, which is attributed to the petitioner.



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)

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