

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18619 of 2017

Arising Out of PS.Case No. -193 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA

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Md. Subhan, Son of Late Ismail, Resident of Village- Ganeshpur Alam
Nagar, P.S. K. Nagar, District- Purnea.

.... 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 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 K. Nagar
P.S. Case No.193 of 2016 registered under Sections 147, 148, 149,
341, 323, 324, 379, 307 and, later on, added Section 302 of the
Indian Penal Code, pending in the court of the Sub Divisional
Judicial Magistrate, Purnea.

The accusation is that this petitioner alongwith his
family members was fixing the peg on the land of the informant
for constructing the house and when Md. Shakur, the father of the
informant, made protest, this petitioner alongwith other accused,
named in the F.I.R., having variously armed started to abuse and



cause assault to the father of the informant. In that course, this petitioner caused injury at the head of the father of the informant through Farsa and the co-accused Md. Jabbar caused injury near the eye of the father of the informant through iron rod. When the informant rushed to save his father, the co-accused Md. Rizwan caused injury to him through the butt of the khanti. The father of the informant was rushed to the Sadar Hospital, Purena, for treatment, where he died on 23.06.2016.

Learned counsel appearing on behalf of the petitioner submits that while there is allegation against the petitioner to cause injury at the head of the father of the informant through Farsa but there was no repetition of blow by the petitioner on the person of the father of the informant, who died after 12 days of the occurrence. Further submission is that the petitioner having no criminal antecedent is in custody since 04.01.2017.

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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