

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37986 of 2017

Arising Out of PS.Case No. -168 Year- 2016 Thana -UJIYARPUR District- SAMASTIPUR

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Baleshwar Das @ Fucho Das, S/o Late Nathuni Das, resident of Village-
Balbhadrapur, P.S.- Ujiarpur, District Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-10-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Ujiarpur
P.S.Case No. 168 of 2016 registered for the offences punishable
under Sections 341, 323, 427, 307, 504, 506/34 and 302 of the
Indian Penal Code.

Allegation against the petitioner and other co-accused
persons is of causing injury to the deceased, due to which she
died.

Submission of learned counsel for the petitioner is that he
is neighbour of the deceased and there was some dispute between
them in which scuffle took place and she has sustained injury and
she died later on. Further submission is that post mortem report
shows that there is no external injury found on the person of



deceased as she was suffering from intestine pain and for that she was operated upon and petitioner is in custody for five months.

Heard learned APP also, who has opposed the prayer for bail on the ground that there is allegation against the petitioner.

Having heard both sides and in the facts and circumstances of the case, I am not inclined to grant bail to the petitioner.

However, once charge has been framed in this case, learned trial court will release the petitioner on bail, if an application for bail is filed on behalf of petitioner, to its own satisfaction on the condition that petitioner will co-operate in trial.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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