

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47905 of 2016

Arising Out of PS.Case No. -111 Year- 2015 Thana -SULTANGANJ District- PATNA

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MD. USMAN

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 25-01-2017

Heard.

Earlier prayer for bail of the petitioner was rejected by this court taking note of the allegation, levelled against him but it is submitted on behalf of the petitioner that the informant has made contradictory statement while his fardbyan was recorded after institution of the present case. It is further submitted that the postmortem report goes to show that the injury sustained by the deceased was caused by hard and blunt substances whereas; the informant states that the petitioner assaulted the deceased with bottle of beer. It is further submitted that moreover, even if, prosecution story assumed to be true, then also, the case comes under Section-304 of the Indian Penal Code but I am not, at all, convinced with the submission advanced on behalf of the petitioner because paragraphs-7, 8 & 9 go to show that eye



witnesses claim that it was the petitioner, who assaulted the deceased by means of bottle of beer.

Therefore, considering the nature of offence as well as submission of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Sultanganj P.S. Case No. 111 of 2015 stands rejected.

However, learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible.

(Hemant Kumar Srivastava, J)

A.K.V./-

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