

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52414 of 2016

Arising Out of PS.Case No. -63 Year- 2015 Thana -NAWADA MUFFASIL District- NAWADA

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1. Kapil Chaudhary Son of Late Kishun Chaudhari Resident of Village-
Bhola Bigha, P.S. Muffasil, Nawada, District-Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-04-2017 Heard the parties.

This application is for grant of bail in connection with
Muffasil P.S.Case No.63 of 2015 for the offence under Sections
302/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is
allegation against the petitioner of assault by '*Khanti*' on the head
of the deceased and there is also allegation of assault against the
co-accused by '*Lathi*' on the deceased, as a result, he succumbed
injuries but there is delay in filing of F.I.R. and further, it is
submitted that the deceased has not died due to assault but he was
an aged person so he died. The petitioner is in custody for more
than eight months.

Heard learned A.P.P. also, who has opposed the prayer for



bail, stating that there is direct allegation against the petitioner and in the post mortem report also five injuries have been found on the person of the deceased.

Having heard both sides and in view of direct allegation of assault against the petitioner on the head of the deceased resulting into his death, as such I am not inclined to grant bail to the petitioner, however, the petitioner is in custody, the learned trial court is directed to expedite the trial and try to conclude it as soon as possible.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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