

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4088 of 2017

Arising Out of PS. Case No.-375 Year-2012 Thana- MOTIHARI MUFASIL District- East
Champaran

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Bijay Prasad @ Vijay Prasad, Son of Rameshwar Prasad, Resident of
Village- Dekahan, Laxman Tola, P.S.- Muffsil, Motihari, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. SRI NAGENDRA PRASAD

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 11-10-2017 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered for the offence punishable under Section 302 of the IPC.

The prosecution case is that the informant and her husband were assaulted by this petitioner by iron rod in the background of partition dispute. Subsequently the husband of the informant succumbed to the injury. Petitioner is the own brother of the deceased.

Report was called for from the learned Additional Sessions Judge IX, Motihari with regard to the stage of the trial. The report at Flag A dated 11.7.2017 suggests that the prosecution evidence was closed and the matter was fixed for statement of



accused under section 313 of the Cr.P.C.

Considering the nature of accusation and the stage of the trial, this court is not inclined to grant bail to the petitioner in connection with S.T. No. 458 of 2013 arising out of Motihari Mufassil P.S. Case No. 375 of 2012. This application is, accordingly, dismissed.

However, it is expected from the learned trial court to conclude the trial expeditiously.

(Dinesh Kumar Singh, J)

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