

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19483 of 2017

Arising Out of PS.Case No. -173 Year- 2014 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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Braj Kishore Singh @ Jatta Singh @ Jaita Singh @ Brij Kishore Singh, Son
of Vidya Singh, resident of village - Salempur Diar, P.S. Lalganj, District -
Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate

For the Opposite Party/s : Smt. Asha Devi (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 25-05-2017 Supplementary affidavit has been filed on behalf of

the petitioner, let it be kept on record.

Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner seeks bail in connection with Lalganj

P.S Case No. 173 of 2014 registered for the offence punishable

under Section 302/34 of the Indian Penal Code.

Allegedly, for land dispute the petitioner and co-

accused came and started abusing Jai Mangal Singh the father of

the informant and when the father of the informant protested, the

petitioner after pointing out dagger proceeded towards the father

of the informant and then co-accused Rajesh Singh caught hold

the father of the informant and the petitioner stabbed dagger in the

stomach of the father of the informant and thereafter both fled



away and when the informant tried to catch the accused persons the petitioner gave dagger blow near his left eye-brow and caused injury and in the meantime, both fled away, the father of the informant succumbed to the injury.

Submission is of false implication and that the informant was not an eye-witness, he had not been examined by any doctor, there is no injury report in the case diary and, as such, the petitioner who has been implicated due to land dispute deserves sympathetic consideration.

Learned A.P.P opposes the prayer of bail by submitting that the petitioner is the assailant.

In the facts and circumstances stated above, considering that during investigation the witnesses have also supported the prosecution version and the petitioner is the assailant and, as such, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected, in connection with Lalganj P.S Case No. 173 of 2014 pending in the Court of learned Sub-Divisional Judicial Magistrate, Vaishali at Hajipur.

(Jitendra Mohan Sharma, J.)

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