

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55290 of 2016

Arising Out of PS.Case No. -63 Year- 2016 Thana -KARAKAT District- SASARAM (ROHTAS)

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Yogendra Sharma, son of Parmeshwar Sharma resident of Village- Kechua,
P.S.- Karakat, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

6 20-06-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 341, 323, 324, 307 and 302 of the I.P.C

Allegedly, the petitioner due to petty dispute for cleaning the water pierced scissor in the chest of father of the informant and when the informant and others tried to rescue him the petitioner assaulted the informant also with scissor causing injury on his right arm and right waist. The father of the informant was brought to Karakat Hospital, Bikramganj where he died.

Submission is of false implication and that no offence punishable under section 302 of the I.P.C. is made out, at best it can be a case under section 304 of the I.P.C, there is no allegation



that the petitioner repeated the blow and as such the petitioner deserves sympathetic consideration as he is suffering in custody since 09.07.2016.

The learned A.P.P. opposes prayer for bail of the petitioner by submitting that the petitioner is the assailant and during postmortem corresponding injury has been found.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with S.T. No. 526 of 2016 arising out of Karakat P.S. Case No. 63 of 2016 pending in the court of 7th Additional Sessions Judge, Rohtas, Sasaram.

(Jitendra Mohan Sharma, J)

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