

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36813 of 2017

Arising Out of PS.Case No. -247 Year- 2015 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Mishri Ravidas Son of Ram Chandra Ravidas, R/o Village- Kajeechak,
P.S.- Hilsa, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Adv.
For the informant Mr. Shymal Prakash, Adv.
For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 06-10-2017 Heard learned counsel for the petitioner, learned

counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since
18.12.2016 in connection with Hilsa P.S. Case No. 247 of 2015 for
offences punishable under Section 302/34 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that while he was in his house and his elder son-deceased Hariom
Ravidas was sleeping on a cot outside the door of the house, the
petitioner along with four others came and assaulted the
deceased with fists and slaps and took him to the house nearby



and torched him by fire along with one Sakaratiya Devi.

It has been submitted by the learned counsel for the petitioner that he is innocent and an old man of 60 years, bears no criminal history. He submits that no specific allegation has been levelled against him and that charge has already been framed.

However, learned counsel for the informant and learned APP for the State vehemently opposes the prayer for bail stating therein that the informant is the eye witness to the alleged occurrence and the petitioner along with four others took him to a house nearby and burnt the informant's son who died.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner in connection with S.T. No. 150 of 2017 arising out of Hilsa P.S. Case No. 247 of 2015 pending before learned Illrd Additional Sessions Judge, Hilsa, Nalanda.

(Nilu Agrawal, J)

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