

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55709 of 2016

Arising Out of PS.Case No. -48 Year- 2014 Thana -PANAPUR District- SARAN

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1. Nagendra Kunwar, son of Late Ram Dharan Kunwar, resident of Village-
Chakiya, P.S.- Panapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anju Kumari @ Anju Narain

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 11-01-2017 Heard the learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Panapur
P.S. Case No.48 of 2014 registered for the offences punishable
under Sections 147, 148, 149, 448, 326, 307, 323, 379, 427 and
302 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, in the occurrence, the petitioner gave tanga
blow on the head of Arbind and thereafter all the accused persons
started assaulting Samundra Kunwar and when Pappu Kumar
came for rescue, he was also assaulted by some other co-accused
and when they were brought for treatment, Arbind Kumar
succumbed to the injury in the way near Masrakh.

Submission is of false implication that earlier on



24.02.2014, Panapur P.S.Case No.15 of 2014 was lodged against the deceased and others and in retaliation, this false case has been lodged. There is general and omnibus allegation against several accused persons and as such, the petitioner deserves sympathetic consideration who is suffering in custody since 30.05.2016.

The learned A.P.P. opposes the prayer of bail submitting that the petitioner assaulted with axe, a sharp and heavy weapon on the head of the deceased due to which deceased died.

In the facts and circumstances stated above, considering that the petitioner is the assailant, I am not inclined to enlarge him on bail and his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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