

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19555 of 2017

Arising Out of PS.Case No. -212 Year- 2016 Thana -PANDAUL District- MADHUBANI

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Chandra Bhushan Jha, Son of Late Rameshwar Jha, Resident of Village-
Isahpur, P.S. Pandaul, District- Madhubani.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.

For the State : Mr.

For the Informant : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

4 29-06-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner seeks bail in connection with Pandaul P.S.
Case No.212 of 2016 registered under Sections 147, 148, 149,
323, 324, 307, 354, 427, 504, 506 and, later on, added Section 302
of the Indian Penal Code, pending in the court of the Additional
Sessions Judge-VI, Madhubani.

The accusation is that on 12.10.2016 at about 01.00
P.M., the petitioner alongwith other accused, named in the F.I.R.,
and 4 unknown started to damage the house of the informant.
When Upendra Jha, the younger grandfather of the informant,
made protest, then this petitioner caused injury at his head with



axe due to which he fell down sustaining injury. When the informant and his family members started to save him, the petitioner caused injury to the informant also through axe. Others also caused injury to the informant through lathi and danda. Upendra Jha, the younger grandfather of the informant, was rushed to D.M.C.H. where he died after five days of the occurrence in course of treatment.

Learned counsel appearing on behalf of the petitioner submits that while the allegation has been made in the F.I.R. against the petitioner to cause injury at the head of the deceased Upendra Jha, the younger grandfather of the informant, but in the inquest report, prepared by the I.O., no external injury was found whereas in the post-mortem examination of the dead of the deceased Upendra Jha, the younger grandfather of the informant, no external injury was found but one comminuted fracture of 5" x 4" size involving left temporal, left frontal and left parietal bone, extra dural haematoma was found of 4" x 2" on left side of frontal parietal and temporal region. Further submission is that, in fact, due to land dispute, the occurrence took place and the petitioner is in custody since 01.12.2016.

Having regard to the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant bail to



the petitioner. Accordingly, the prayer of the petitioner for grant
of bail stands rejected.

(Rajendra Kumar Mishra, J)

P.S./-

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