

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47968 of 2016

Arising Out of PS.Case No. -656 Year- 2015 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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Tipu @ Md. Tipu s/o late Motiur Rahman, resident of Mohalla Kalibag near
Liberty Cinema, P.S. Town Bettiah, District-West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner is an accused in connection with Sessions Trial No. 388 of 2016 arising out of Bettiah Town P.S.Case No. 656 of 2015 registered under Sections 341, 307, 302, 34 of the Indian Penal Code, pending in the Court of learned 5th Additional District and Sessions Judge, Bettiah, East Champaran.

It has been alleged that on the date of occurrence this petitioner gave Knife blow to the brother-in-law of the informant, namely, Firoz @ Manoj. Later on he succumbed to his injury.

Learned A.P.P. for the State has submitted that in para nos. 6,7,19 and 30 of the case diary all witnesses have levelled specific allegation of assault against the petitioner. Post mortem report is available in para 36 of the case diary wherein doctor has found one injury on the upper chest of the deceased caused by



long sharp object. It has been submitted on behalf of the petitioner that a counter case was also filed by the petitioner vide Bettiah Town P.S.Case No. 657 of 2015.

Learned counsel for the informant has submitted that the trial has already started and one witness has been examined.

Considering the fact that the petitioner is the main assailant of the deceased and the trial has already started, I am not inclined to grant bail to the petitioner and the same is rejected.

However, the trial court is directed to expedite the trial and not grant unnecessary adjournment.

(Sanjay Priya, J)

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