

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1903 of 2017

Arising Out of PS.Case No. -243 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Hari Shankar Singh, Son of Late Bihari Singh, Resident of Village-Panapur
Langa, P.S.-Hajipur Sadar, District-Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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

3 06-02-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Hajipur Sadar
P.S. Case No.243 of 2016 registered under Sections 147, 148, 149, 341,
323, 302 and 307 of the Indian Penal Code, pending in the court of the
Chief Judicial Magistrate, Vaishali.

The accusation is that the informant was informed by her
brother-in-law Satyendra Singh about causing injury to her husband due
to land dispute by 12 persons, named in the F.I.R., including the
petitioner. At that time, the petitioner and one Anil Singh caused injury
to her husband through knife at his stomach and eyes respectively.
Later on, the husband of the informant died.

Learned counsel appearing on behalf of the petitioner



submits that it would appear from the F.I.R. that the informant is not an eye witness to the occurrence. While the occurrence is said to have committed by 12 persons but in the post-mortem examination of the dead body of the deceased, the husband of the informant, only four injuries were found on the person of the deceased, the husband of the informant, and out of four injuries, two were of incised in nature, which is said to be caused on the forehead and left arm of the deceased.

On the other hand, learned A.P.P. for the State opposed the prayer of the petitioner for grant of bail with the submission that Satyendra Singh, the brother-in-law of the informant, is an eye witness to the occurrence and he has specifically stated about causing knife injury by this petitioner and causing injury through bat by the co-accused Anil Singh to the deceased, the husband of the informant.

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)

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