

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17064 of 2017

Arising Out of PS.Case No. -705 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

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Kishore Chaudhary, Son of Late Chulhey Chaudhary, Resident of Naya Tola, Kali Mandir, Near K.S.B. College, P.S.- Lakhisarai, District- Lakhisarai. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 10-07-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Lakhisarai P.S. Case No. 705 of 2015 registered for the offence punishable under section 302/34 of the Indian Penal Code.

Allegedly in the occurrence the petitioner assaulted over right chest of Ashok Choudhary, the father of the informant with knife causing serious injury to him and Vikash Kumar assaulted with knife which hit below his right arm and on elbow.

Submission is of false implication and that the petitioner has been made victim of the circumstances. During *post mortem*, no corresponding injury has been found and as such, the petitioner deserves sympathetic consideration.

Learned APP duly assisted by the learned counsel for



the informant, opposes the prayer of bail by submitting that the petitioner is the main assailant and during *post mortem*, the said injury has been found.

Under the facts and circumstances stated above, I am not inclined to grant privilege of bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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