

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15782 of 2017

Arising Out of PS.Case No. -98 Year- 2016 Thana -PIPRAHI District- SHEOHAR

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Ramanand @ Ramanandan Rai S/o Mohit Rai R/o Vill. - Mohanpur, P.S. -
Piprahi, Dist. - Sheohar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Adv.
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 12-05-2017 Heard both sides.

The petitioner seeks bail in Piprahi P.S. Case No. 98/2016, registered for the offences punishable under Sections 302, 307 and other sections of the Indian Penal Code.

Kamlesh Rai the informant named 07 persons including the petitioner Ramanand Rai and alleged that all the accused persons caught his nephew Lakhindra Rai. On the order of Lalbabu Rai, Hemant Rai assaulted Lakhindra Rai with iron rod. Tipu Rai assaulted with Farsa. Umesh Rai assaulted him with spade. Naresh Rai pierced rod in the right ear and the petitioner Ramanand Rai assaulted Lakhindra Rai with Farsa on his head.

Mr. Yogesh Chandra Verma learned senior counsel for the petitioner submits that petitioner is alleged to have assaulted the deceased with Farsa, but no sharp-cut injury was



found on the head. During the course of investigation, the informant did not make any specific allegation of assault against the petitioner in his further statement. Other witnesses have also not made specific allegation of assault against the petitioner. It is submitted that no sharp-cut injury was found on the head of the deceased, but from perusal of the record, it appears that Kamlesh Rai has alleged that petitioner and other accused persons having armed with different weapons came and assaulted the deceased Lakhindra Rai. The petitioner is alleged to have assaulted Lakhindra Rai with Farsa on his head. Other witnesses have stated that all the other accused persons assaulted with different weapons. From perusal of the post-mortem report, it appears that the deceased got many injuries on his head. 02 cut injuries were found at two places on head and 02 injuries through and through with blood and blood clots which is alleged to have been caused by the piercing of iron rod. The deceased died on account of injuries found on the head.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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