

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41519 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -DHAMDAHA District- PURNIA

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1. Sonu Bhagat, S/o Chando Bhagat @ Chandra Kishore Bhagat,
2. Deepak Bhagat, S/o Chando Bhagat @ Chandra Kishore Bhagat, Both
residents of Dhamdaha Hatiya, P.S.- Dhamdaha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-09-2017 Heard the parties.

This application is for grant of regular bail in connection with Dhamdaha P.S.Case No.38 of 2017 corresponding CIS No.555 of 2017, for the offences under Sections 302, 120(B) and 34 of the Indian Penal Code.

The petitioners are named in the FIR and allegation against the petitioners and other co-accused persons is of causing injury to the deceased, due to which he died.

Submission of the learned counsel for the petitioners is that several persons are named in the FIR and there is general and omnibus allegation against the petitioners. Further submission is that FIR itself shows that the deceased has named these petitioners who are brother of Dablu Bhagat. The petitioners are in custody



since 21.7.2017.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that they are named in the FIR and there is allegation of assault against all the accused persons and even in the postmortem report, several injuries have been found on the person of the deceased.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner, however, the learned trial court is directed to expedite the trial of the petitioners and the petitioners are at liberty to renew their prayer for bail before the court concerned after framing of charge in this case before the learned court below itself, who will dispose of their applications on the basis of materials available in the entire case diary and considering injuries also.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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