

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9277 of 2018

Arising Out of PS.Case No. -14 Year- 2017 Thana -HASANGANJ District- KATIHAR

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1. Basudeo Mandal, son of Kuksu Mandal, resident of Village-
Dahiyarganj, Police Station- Hasanganj, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Najmul Hoda, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 27-03-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with S.T.
No. 321 of 2017, arising out of Hasanganj P.S. Case No.14 of
2017, a case under Section 302 of the Indian Penal Code, pending
in the Court of learned Sessions Judge, Katihar.

According to FIR, the petitioner assaulted to the
father of the informant with Dabia (a sharp cutting weapon)
causing injury at the neck and pinea. The doctor has found
consistent injury while performing post mortem examination.

Submission is that the petitioner is in custody since
13.03.2017. The deceased had committed rape against the wife of
this petitioner and petitioner sustained injury at the hands of the



informant and others and just to save skin the false allegation has been leveled. However, there is no proof of the aforesaid allegation as submitted by the learned counsel for the petitioner.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail is refused. The learned trial Court is directed to expedite the trial.

(Birendra Kumar, J)

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