

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41552 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- MANIGACHI District- Darbhanga

Heera Sharma, son of Singheshwar Sharma @ Singheshwar Thakur resident
of Village - Makranda, Police Station - Manigachhi, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 18-07-2018 Heard learned counsels for the petitioner and the

State.

Petitioner seeks bail in connection with Manigachhi
P.S. Case No. 39 of 2018 registered for the offence punishable
under sections 341, 323, 324, 307 and 504/34 of the Indian
Penal Code.

Learned counsel appearing for the petitioner
submits that petitioner has been falsely implicated in this case.
The allegation against the petitioner is only of giving a single
lathi blow. There was neither any motive nor any repeated blow
given by the petitioner to injured person. The allegation under
section 307 of the IPC is not made out against this petitioner.
The allegation of giving Tengari blow is against the co-accused
persons. Petitioner is in custody since 01.05.2018.

Learned Addl. P.P. appearing for the State and the



learned counsel appearing for the informant opposes the prayer for bail and submits that there is direct allegation of assault against this petitioner causing injury on the vital part of the body. Injuries were found to be grievous in nature.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court is not inclined to grant bail to the petitioner. His prayer for bail is, therefore, rejected.

However, petitioner may renew his prayer bail after framing of charge.

(Arvind Srivastava, J)

mcv/-Sanjeev

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