

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51685 of 2018

Arising Out of PS. Case No.-213 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

Tapan Rai S/o Late Jagdeep Rai, R/o Vill.- Hariharpur, P.S.- Hajipur Sadar,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 22-11-2018

Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner seeks regular bail in connection with
Hazipur Sadar P.S. Case No. 213 of 2018, registered for offence
punishable under Section 302 of the Indian Penal Code.

Informant is the own brother of petitioner who in his
fardbeyan has stated that on account of homestead land there
was some dispute between the Informant and petitioner and his
father (deceased) called the Amin and partitioned the land into
half and half share but the same was not acceptable to his
brother (petitioner) and he tried to encroach over the share of
Informant and also assaulted Informant and his father and
pressed the neck of his father from his feet as a result of which
he died on the spot. In the post mortem report also death has



been attributed to Asphyxia resulting from pressure by flexible blunt substance.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that petitioner may renew his prayer for bail after completing one year of Jail custody.

(S. Kumar, J)

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