

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29279 of 2018

Arising Out of P.S.Case No. -430 Year- 2017 Thana -KODHA District- KATIHAR

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Prithvi Singh S/o Late Gulcharan Singh, R/o Vill.- Shishia, P.S.- Korha and District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar

For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 28-06-2018 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Korha P.S.Case No.430 of 2017 pending in the Court of CJM, Katihar registered for an offence under Section 302 of the IPC.

The informant of this case is father of the deceased. It is alleged that on the date of occurrence, the cow of the informant went to the field of the petitioner whereafter the petitioner assaulted his son aged about 12 years and caused his death by pressing his neck.

It has been submitted that the deceased lost consciousness on account of falling on the ground and so no offence under Section 302 of the IPC is made out.

The learned APP opposed the submission.



On perusal of the case diary, it appears that a large number of witnesses have supported the allegation of assault. The postmortem report also corroborates the allegation.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner. Prayer for bail is rejected.

(Sanjay Kumar, J)

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