

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51683 of 2018

Arising Out of PS.Case No. -14 Year- 2018 Thana -CHHATAUNI District- EASTCHAMPARAN
(MOTIHARI)

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Deepak Kumar, Son of Dinesh Prasad, resident of Mohalla- Chhatauni
Chauk, P.S.- Chhatauni, District- East Champaran, Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-10-2018 Heard learned counsel for the petitioner.

The petitioner prays for bail in connection with
Chhatauni P.S.Case No. 14 of 2018 registered for the offences
punishable under Sections 302 and 120B/34 of the Indian Penal
Code.

Allegation as per FIR is that on hearing sound of hue and
cry of his brother Mantosh Kumar, Raushan Kumar, younger
brother of Mantosh Kumar and nephew of the informant, came out
and saw the petitioner and other accused persons stabbed the
deceased.

Submission of learned counsel for the petitioner is that
there is no eye-witness to the occurrence and due to enmity he has
been implicated in this case and post mortem report is doubtful as



occurrence took place at 11 A.M. and Post Mortem was done at 11.05 A.M. on the same day and petitioner is in custody since 18.1.2018 and no specific allegation has been attributed against him.

Heard learned APP also, who has opposed the prayer for bail stating that witnesses have stated that petitioner has caught hold of the deceased and other accused persons have stabbed the deceased

Having heard both sides and in the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner.

This application is dismissed.

(Vinod Kumar Sinha, J)

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