

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47915 of 2018**

Arising Out of PS.Case No. -225 Year- 2018 Thana -SARAIYA District- MUZAFFARPUR

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1. Badari Thakur, S/o Kishuni Thakur, R/o Village- Kueya, P.S.- Saraiya,  
(Jaitpur O.P.), District- Muzaffarpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajiv Kumar

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      27-09-2018

Heard the parties.

This application is for grant of regular bail in connection with B.P.No.981 of 2018 dated 10.7.2018 arising out of Saraiya P.S.Case No.225 of 2018 for the offences under Sections 341, 323, 314, 316, 302, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that the accused persons came to the house of the informant and started assaulting the staff of the informant and when the wife of the informant went to save him, she was also assaulted and this petitioner has assaulted by *lathi* to his wife, which caused miscarriage of months pregnancy and she was taken to Sadatpura Hospital and thereafter she succumbed to the injuries.



Submission of the learned counsel for the petitioner is that she died due to septicemia and there was no intention of the petitioner to kill her. The petitioner is in custody since 3.6.2018.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that the postmortem report shows that there is rupture in the small intestine of her..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage, however, the learned trial court is directed for commitment of the case and thereafter to expedite the trial of the petitioner.

With the aforesaid observation, this application is dismissed.

**(Vinod Kumar Sinha, J)**

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