

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3265 of 2019

Arising Out of PS. Case No.-235 Year-2014 Thana- BIHPUR District- Bhagalpur

Prasidh Kumar s/o Late Bindeshwri Kumar, resident of Village- Bharamarpur,
11 No. Laxmipur Tola, P.S. Bihpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kashyap

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-01-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in S.T. No. 736/2014, arising
out of Bihpur P.S. Case No. 235/2014, instituted for offences under
Section(s) 302, 307, 325 and 326 of the Indian Penal Code.

It is alleged in the written report that on the date of
occurrence barber had come for shaving. Barber Janardan Thakur
shaved the brother of informant. Thereafter brother of informant
went to home to take rest on bed. In the meantime, Janardan
Thakur was shaving this petitioner. The petitioner went near the
brother of informant in the midst of getting shaved and gave
Khanti blow on his head and mouth indiscriminately. Bhabhi of
informant came to save then she was also assaulted by this
petitioner with *Khanti* causing injury on head. The informant went
to save then he was also assaulted by this petitioner causing injury



on his head. Brother of informant died due to aforesaid injury.

Learned Addl. Sessions Judge, Naugachia has mentioned in the impugned order that in post-mortem report cause of death has been mentioned on account of intraoral injury caused by sharply pointed weapon with lateral edge. It is also mentioned in the impugned order that injury has been found on the person of Baby Devi (Bhabhi of informant) caused by sharp cutting weapon as well as on the person of informant caused by heavy blunt substance.

Learned counsel for the petitioner has submitted that there is report of Psychiatrist in which it is mentioned that petitioner is suffering from Schizophrenia.

Considering the specific allegation against the petitioner, this Court does not find it a fit case for grant of bail at this stage. Accordingly, prayer for bail of petitioner is rejected.

The jail authority will take necessary steps for proper treatment of petitioner in accordance with law.

Trial court is directed to expedite the trial.

(Sanjay Priya, J)

rakhi/-

U		T	
---	--	---	--

