

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9180 of 2019

Arising Out of PS. Case No.-25 Year-2018 Thana- SURSAND District- Sitamarhi

Raushan Kumar Son of- Late Sunil Mishra Resident of village-Babu Narha,
P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malay Kumar Choudhary

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 09-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sursand P.S. case No.25 of
2018 registered under Sections 324, 307, 302/34 of the Indian
Penal Code, pending in the court of Sub Divisional Judicial
Magistrate, Pupri (Sitamarhi).

Allegation is that the accused persons including the
petitioner besides 2-3 others assaulted the informant's brother
with knife. The petitioner and co-accused Aditya Kumar were
hurling knife blows repeatedly on his brother. He was taken to
the Hospital for treatment, where the doctor has declared his
brother dead.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 05.10.2018 and has got no



criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case has been committed to the court of Sessions. There is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner is alleged to be one of the assailants. The postmortem report corroborates the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The court below is directed to expedite the case.

(Sudhir Singh, J)

Narendra/-

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