

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19701 of 2019**

Arising Out of PS. Case No.-832 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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Shiv Kumar Son of Late Shankar Sah Resident of Village - Raj Dewari, P.S.-
Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv

For the Opposite Party/s : Mr.Pramod Kumar Pandey,APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

4 03-06-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 307/302 of the Indian Penal
Code.

Petitioner is assailant of the deceased.
Informant is eye witness of the occurrence. Petitioner is in
custody since 25.09.2018.

Learned counsel for the petitioner submits that
from perusal of the entire FIR it would appear that the informant
is not an eye witness of the occurrence and no other eye witness
has supported the allegation, whereas learned counsel for the
State contended that the witnesses of the locality who came on



alarm have stated either that the petitioner was seen fleeing away alongwith iron rod or witness was informed that petitioner was assailant.

Considering the entire facts of this case, I am not inclined to enlarge the petitioner on bail for the present in connection with Bettiah Town P.S.Case No.832 of 2018 pending in the court of learned C.J.M., Bettiah, West Champaran. Hence, prayer is refused.

However, petitioner may renew prayer for bail if the trial is not concluded within six months from the date of framing of the charges.

(Birendra Kumar, J)

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