

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28883 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- THAKRAHA District- West Champaran

Jite Sharma S/o- Ramji Sharma Resident of Village- Pakahi, P.S.- Thakaraha,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case initially registered under
Sections 341, 323, 307, 504/34 of the Indian Penal Code and
later on, Section 302 of the Indian Penal Code was also added.

Allegation against the petitioner is of giving Khanti blow
on the head of the deceased.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 17-01-2019. Charge sheet has
already been submitted. The petitioner is alleged to have given
single Khanti blow on the head of the deceased. There is no
allegation of repetition of blow. At best, it is a case under



Section 304 of the Indian Penal Code. No offence u/S 302 of the Indian Penal Code is made out. The death is said to have taken place after ten days of the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The petitioner is said to have given single Khanti blow on the head of the deceased.

Considering the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Thakaraha P.S. Case No. 02 of 2019 is rejected at this stage.

(Sudhir Singh, J)

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