

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33892 of 2019

Arising Out of PS. Case No.-178 Year-2018 Thana- UJIYARPUR District- Samastipur

SHYAM SADA Son of Ganaur Sada Resident of Village- Bhagwanpur,
Kamla Tola, Ward No. 12, Andaha Mushari, P.S.- Ujiarpur, District-
Samastipur ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner :Mr.Bijay Bhushan Prasad, Advocate

For the Opposite Party :Mr.Chandra Bhushan Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-08-2019 Heard learned counsel for the parties and perused the case diary.

Petitioner is an accused in a case registered for the offence under sections 304B/34 of the Indian Penal Code.

Informant alleges that the petitioner assaulted on the head of his grand son with a spade as a result of which he died on the way to the hospital. He had also threatened the informant of the dire consequences on the earlier occasion.

Learned counsel for the petitioner submits that the petitioner had no intention to kill the victim and the incident took place on the spur of the moment and there is no allegation of repeated assault. Petitioner has got no criminal antecedent and he is in custody since 27.8.2018.

Learned counsel appearing for the State that there is allegation that it was the petitioner alone who assaulted with his



spade on the head of informant’s grand son causing his death.
Charges have also been framed in the case.

Prayer for bail of the petitioner is rejected with liberty
to renew the same after six months.

(Prabhat Kumar Singh, J)

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