

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36497 of 2019

Arising Out of PS. Case No.-45 Year-2016 Thana- KORANSARAI District- Buxar

SHASHI KANT MISHRA Son of Sri Bisheshwar Mishra Resident of Village
- Kanjharuan, P.S.- Koran Sarai, District- Buxar (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Nath Ojha

For the Opposite Party/s : Mr.Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 11-09-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner is accused in connection with Koran Sarai P.S. Case No. 45 of 2016 registered under sections 326/447/307/34 of the I.P.C. pending in the Court of Judicial Magistrate, 1st Class, Buxar.

Submission of learned counsel for the petitioner is that petitioner is that petitioner is innocent and has falsely been implicated in the present case only to grab his property by his own elder brother. Further submission is that petitioner is in custody since 23.02.2019.

Learned A.P.P. appearing on behalf of the State opposed the prayer of the petitioner by contending that petitioner is named in the first information report. On perusal of



first information report, it appears that there is direct allegation of assault against the petitioner on the head of the informant's son by means of sharp weapon with intention to kill him, as a result of which, he became unconscious. Hence, the petitioner does not deserve the privilege of bail.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

(Arvind Srivastava, J)

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