

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38030 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- BELSAND District- Sitamarhi

MONU SINGH Son of Late Rajendra Singh Resident of Village-Bhorahan,
P.S.-Belsand, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaidehi Raman Prasad Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 3.12.2018 has
filed the instant application for grant of bail in connection with
Belsand P.S. Case No. 175 of 2018 registered for the offence
punishable under sections 302 and 34 of the Indian Penal Code.

As per the allegation in the FIR, the accused
persons namely, Shambhu Sah and Navin Kumar @Nanhe
Singh are alleged to have caught hold of the brother of the
informant and the petitioner is said to have struck with a knife
as a result of which informant's brother died.

It is submitted by learned counsel for the petitioner
that the occurrence is said to have taken place at 8 P.M. in the
month of October and there is no eye witness to the occurrence.



Of the two eye witnesses as per the F.I.R. while Shantanu Singh, has not been examined, Ajay Singh in his examination does not claim to be an eye witness. It is further submitted that the deceased was himself an accused and also convicted in a sessions trial and that in course of investigation it had transpired that he had some quarrel with some persons of Musahar community who were searching him. It is finally submitted that occurrence has taken place in the manner other than what had narrated in the F.I.R.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner in the F.I.R. of having assaulted the petitioner with knife, this Court is not inclined to grant bail to the petitioner and as such the petitioner's application for bail is rejected.

(Partha Sarthy, J)

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