

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42986 of 2019

Arising Out of PS. Case No.-496 Year-2018 Thana- SUGAULI District- East Champaran

SHREE BHAGWAN SAHANI Son of Late Hiralal Sahani Resident of
Village - Bal Tola, P.S.- Sugauli, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shail Kumari

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 17.12.2018 in connection with Sugauli P.S. Case No. 496 of 2018 for the alleged offences under Sections 341, 342, 323, 307 and 302/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on the accusation of stabbing the informant's father in his abdomen with *gupti*, but no motive has been assigned for such accusation. There is delay in lodging of the FIR on 12.12.2018 for the alleged occurrence of 09.12.2018 and the deceased having died on 11.12.2018. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the



informant opposes the prayer for bail. Learned APP refers to the post mortem report in the case diary which discloses the death to have been caused by haemorrhage in the abdomen which corroborates the accusation. The witnesses have supported the prosecution case and stated that the petitioner is the main assailant in the case.

5. Having regard to the nature of accusations and gravity of the offence alleged, this Court is not inclined to grant privilege of bail to the petitioner. The bail petition stands dismissed.

(Vikash Jain, J)

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