

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68784 of 2018

Arising Out of PS. Case No.-686 Year-2018 Thana- BIHTA District- Patna

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Pintu Bhagat S/o Kameshwar Bhagat, R/o Vill.- Laxmanpur, P.S.- Bihta,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-01-2019 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bihta P.S. Case No. 686 of 2018 for the offence punishable
under Sections 302/34 of the Indian Penal Code.

The case of the prosecution in brief is that the brother
of the informant, namely, Gopal Prasad had gone to the house of
one Gorakh Prasad who had called the brother of the informant
for giving treatment in his house. Subsequently, when the
brother of the informant reached his house, the accused persons
including the petitioner herein attacked the brother of the
informant with iron rod, lathi, danda in a very planned manner.
The allegation against the petitioner is assaulting the brother of
the informant with iron rod on the head which resulted in



grievous injury and led to his subsequent death.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case on mere suspicion inasmuch as there is no eye witness or independent witness to have seen the alleged occurrence. It is further submitted that the petitioner is having a clean antecedent and is languishing in custody since 14.07.2018.

I have perused the materials on record as also the case dairy and I find that there is specific allegation of assault by the petitioner by iron rod on the head of the brother of the informant which has resulted in his death and the same is also corroborated by the medical evidence, hence I am not inclined to grant bail to the petitioner who is directly involved in the murder of the brother of the informant.

Thus the prayer of the petitioner for grant of regular bail is rejected.

(Mohit Kumar Shah, J)

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