

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.253 of 2019

Arising Out of PS. Case No.-248 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

Jagdish Mahto, son of Jagarnath Mahato, resident of village Barbari, P.S.
Baikunthpur, Distt. Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 06-02-2019 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in **Baikunthpur P.S. Case
No. 248 of 2018**, instituted for the offence under Section(s)
302/34 of the Indian Penal Code.

It is alleged in the written report that father of informant was sitting at his *Bathan*. The petitioner along with two other named accused persons assaulted him with knife on his head causing injury to him. The informant went there after getting information. The father of the informant told him that petitioner has given knife blow on his head and his two sons have assaulted him with *lathi, danda, fat* etc. The informant wanted to take his father for treatment, but he died on the spot.

Case diary has been received.



Post mortem report is available in the case diary wherein the Doctor has found stitch wound over the person of the deceased. On dissection, skull bone fractured was found. The Doctor has opined the cause of death due to haemorrhage and shock caused by hard and blunt object.

From the written report, this Court finds that there is specific allegation against the petitioner of causing injury on his head of the deceased.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer of the petitioner for grant of bail stands rejected.

The trial court is directed to expedite the trial.

(Sanjay Priya, J)

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