

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2100 of 2020

Arising Out of PS. Case No.-14 Year-2013 Thana- CHHATAUNI District- East Champaran

KANHAIYA SAHNI @ KANAHAIIYA SAHNI S/o Bhuneshwar Sahani R/o
village- Chota Bariyarpur, P.S.- Chhatauni, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 28-05-2020 Heard learned counsel for the parties through video conferencing.

This relates to grant of bail in Chhatauni P.S. Case No. 14 of 2013, registered for the offence under Sections 341, 323, 324, 504/34 of the Indian Penal Code. Later on, Sections 307 and 302 of the I.P.C. were added.

As per First Information Report, the allegation against the petitioner is that he gave iron rod blow on the head of the deceased, which caused cut injury and blood started oozing out.

It is submitted on behalf of petitioner that there is general and omnibus allegation against the petitioner and Sections 307 and 302 of the Indian Penal Code have been added after eight months of the occurrence. It is also submitted on behalf of petitioner that *post-mortem* report is not available on



record. On aforesaid ground, he prays for granting bail to the petitioner, who is in custody since 22-11-2019.

However, counsel for the State vehemently opposed the prayer for bail. He submits that there is specific allegation against the petitioner of assaulting the informant on his head, who subsequently died. Learned A.P.P. further submits that petitioner has got criminal antecedent also.

After hearing both parties as well as considering the fact that there is specific allegation against the petitioner of giving iron rod blow on the head of the informant, who subsequently died due to head injury, I am not inclined to extend the privilege of bail to the petitioner.

The bail application stands dismissed.

(Prabhat Kumar Singh, J.)

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