

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7449 of 2020

Arising Out of PS. Case No.-108 Year-2016 Thana- BIHRA District- Saharsa

MANTUN SINGH Son of Braham Singh @ Brahmanarayan Singh Resident
of Village - Patori, P.S.- Bihra, Distt - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Mukund
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-06-2020 Heard.

The matter has been taken up through virtual Court proceeding.

The petitioner has renewed his prayer for bail in a case registered for the offences punishable under Sections 147,148,149,341,323,324,307,427,448,379,504 and 506 of the IPC. Subsequently, Section 302 of the IPC was added.

The prosecution case, as per the written report of Sarita Das submitted to the SHO, Bihra Police Station, is to the effect that on 29.7.2016 at 9.00 P.M., the informant was cooking food with the family members, in the meantime, fifteen accused persons including the petitioner entered into the house of the informant and started assaulting the family members of the informant. They also resorted to firing and snatched jewellery



of the family members of the informant. It is alleged against the petitioner that he assaulted with farsa on the head of the husband of the informant, as a result, he died.

It is submitted by learned counsel for the petitioner that the petitioner is suffering from Jaundice and he needs to undergo treatment in the specialized centre of IGIMS, hence he prays for provisional bail.

Learned counsel for the informant drew my attention to the order dated 7.8.2019 passed by a Co-ordinate Bench of this Court (since retired) in Cr. Misc. No. 49504 of 2019 whereby the petitioner's prayer for bail was lastly rejected and in the said order, it has been recorded that all the witnesses have been examined, except the doctor. Learned counsel further submits that the doctor has also been examined and now statement under Section 313 of the Cr.P.C. to be recorded. Similar is the submission of learned counsel for the State.

In the above view of the matter, this Court is not inclined to grant bail to the petitioner in connection with Bihra P.S. Case No. 108 of 2016 pending in the Court of the learned FTC, Saharsa. Prayer of the petitioner for bail is rejected.

However, it is expected from the jail authorities as well as the learned trial Court to assure that the petitioner is provided



immediate medical facilities as required and recommended.

(Dinesh Kumar Singh, J)

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