

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4575 of 2020

Arising Out of PS. Case No.-18 Year-2019 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Laxmi Sahni S/o Bathu Sahni, R/o Village- Karor, P.S.- Cheriabariyarpur,
District- Begusarai.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Yogesh Kumar, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Cheriabariyarpur P.S. Case No. 18 of 2019 registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is no eye witness in this case nor any independent witness has supported the allegation as levelled against the petitioner nor the police have recorded the confession of the named accused. The petitioner is in custody since 09.10.2019.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case wherein it appears from the materials on the record that in the First Information Report there is a specific allegation against this petitioner saying that he was assaulting the deceased by iron rod and that the petitioner is in custody only since 09.10.2019 whereas the co-accused Nunumani Ram has been granted bail by a learned Co-ordinate Bench of this Court taking note of the submission and the allegation that this petitioner was assaulting the deceased, considering the nature of allegations being specific and the period of custody only since 09.10.2019, this Court is not inclined to grant regular bail to this petitioner at this stage. The prayer is refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

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