

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20325 of 2020**

Arising Out of PS. Case No.-47 Year-2019 Thana- AAJAM NAGAR District- Katihar

HASSAN @ HASAN @ MD. HASAN REZA S/o Daud R/o- Jogiya Tola
Nungadha, P.S.- Azamnagar, Distt.- Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 16-07-2020 Heard learned counsel appearing for petitioner as well

as learned Additional Public Prosecutor appearing for State

through video conferencing.

Petitioner is in jail custody since 05.03.2019 in
connection with Azamnagar P.S. Case No.47/2019 registered
under Section 302 and other minor sections of the IPC.

Petitioner is said to have given iron rod blow on the
head of the deceased. Petitioner happens to be main assailant.

Learned counsel appearing for the petitioner submits
that even if the prosecution story is assumed to be true, then also,
only single blow is said to have been given by the petitioner
and, therefore, aforesaid fact goes to show that petitioner had no
intention to commit murder of the deceased.

On the other hand, learned Additional Public



Prosecutor opposed the prayer pointing out that it is petitioner who caused head injury to deceased, as a result whereof deceased died then and there.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail stands rejected.

However, the learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible.

(Hemant Kumar Srivastava, J)

Prakash Narayan /-

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