

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27654 of 2020

Arising Out of PS. Case No.-128 Year-2019 Thana- RUDRAPUR District- Madhubani

Mangal Chaupal Son of Late Nebu Chaupal Resident of Village - Navnagar,
P.S.- Rudrapur, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Bharti
For the Opposite Party/s : Mr.M.K.Nirala,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-11-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner seeks bail in Rudrapur P.S. Case No.
128 of 2019 registered for the offence under Section 302/34 of
the Indian Penal Code.

As per prosecution case, there is specific and direct
allegation against this petitioner of assaulting daughter of the
informant by a piece of mango wood, as a result of which, she
died during course of treatment.

It is submitted on behalf of petitioner that petitioner
has been falsely implicated due to previous enmity and there
was no intention to kill informant's daughter. There is no
allegation of repeated blow, rather from perusal of FIR, it is
evident that petitioner is alleged to have given only one assault



by stick on deceased. Charge has already been framed in this case and petitioner is in custody since 01-12-2019.

However, learned A.P.P. for the State has vehemently opposed the bail application and submitted that there is specific and direct allegation of assaulting informant's daughter, as a result of which, she died during course of her treatment.

Considering the aforesaid facts and circumstances, the bail application of petitioner stands dismissed.

(Prabhat Kumar Singh, J.)

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