

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47953 of 2021**

Arising Out of PS. Case No.-263 Year-2019 Thana- MADANPUR District- Aurangabad

Sarvan Kumar @ Sharvan Kumar @ Sharvan Gupta S/O Late Jagdish Saw
R/O Village-Siridih, P.S- Madanpur, District-Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh
For the Opposite Party/s : Mr.Shyam Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 22-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Madanpur P.S. Case No. 263 of 2019, registered for the offence under Sections 341, 323, 504, 307, 302 of the Indian Penal Code.

As per F.I.R., this petitioner is alleged to have assaulted the informant and his wife by a sharp cutting sword, as a result of which, wife of informant died during course of her treatment.

It is submitted on behalf of petitioner that the alleged occurrence has taken place in a spur of moment and there was no intention to kill the deceased. Petitioner is none else but own brother of informant and due to dispute with regard to selling of sugarcane machine, the alleged incident took place. Petitioner claims clean antecedent and he is in custody since 09.02.2021.



However, learned A.P.P. for the State opposed the bail petition and submitted that there is specific and direct allegation against this petitioner of committing murder of wife of informant.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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