

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2861 of 2021**

Arising Out of PS. Case No.-4 Year-2020 Thana- KORHA District- Katihar

Md. Suleman S/O Md. Islam R/O Village- Simariya Karmu Tola, P.S.- Korha,
District- Katihar

... .. Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.A.G

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

3 14-06-2021

Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Korha Police Station Case No. 4 of 2020 registered for the offences punishable under sections 302/34 of the Indian Penal Code.

As per the prosecution case, petitioner is alleged to have given sword blow on the abdomen of Md. Sahabuddin due to which he died on the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to land dispute. He further submits that informant's husband did not die due to assault of petitioner which is evident from the post mortem report. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 7.3.2020.

Learned counsel for the State opposes the prayer for bail and submits that there is direct allegation against the petitioner that he gave fatal sword blow on the abdomen of the informant's husband as a result of which he died on the spot which is also supported by the post mortem report.



Considering the nature and severity of allegation,
prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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