

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54120 of 2021

Arising Out of PS. Case No.-137 Year-2021 Thana- TEKARI District- Gaya

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UMESH VISHWAKARMA @ UMESH MISTRI SON OF LATE KAILASH
MISTRI @ KAILASH VISHWAKARMA R/O VILLAGE- JALALPUR,
P.S.- TEKARI (MOU O.P.), DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 of the Indian Penal Code.

As per the prosecution case, the informant states that the petitioner herein who happens to be the informant's father assaulted his wife i.e. the informant's mother as a result of which she died.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The informant is not an eye-witness to the occurrence. The cause of false implication is property dispute. The petitioner is in custody since 31.3.2021 and has no criminal antecedent.



Having heard learned counsel for the parties and on going through the material which has transpired in course of investigation including the contents of the postmortem report wherein injuries found on the head are said to have been caused by blunt hard force together with the contents of the confessional statement of the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

In view of the petitioner having remained in custody for more than 1 year, liberty is granted to the petitioner to renew his prayer for bail after six months or after framing of charge, whichever is later.

(Partha Sarthy, J)

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