

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21759 of 2017

Arising Out of PS.Case No. -206 Year- 2016 Thana -RAJNAGAR District- MADHUBANI

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1. Bindeshwar Sahani, Son of Late Kailu Sahani, Resident of Village-
Lalitpur Laxmipur, P.S. Raj Nagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 30-06-2017 Heard both sides.

The petitioner seeks bail in Raj Nagar P.S. case No.
206 of 2016 under Section 302 and other Sections of the Indian
Penal Code.

The informant alleged that 3rd wife of petitioner
picked up quarrel with her and asked the informant to send her
jail. The informant further alleged that Babita Devi, 3rd wife of the
petitioner, began to abuse. On such, the petitioner also came and
started assaulting her with Lathi. The son of the informant also got
injuries, who was in the lap of informant, and died.

The learned counsel for the petitioner submits that
there was no intention to kill the boy. The petitioner was
assaulting the informant, who got simple injuries on her person,



but unfortunately the child, who was in the lap of informant, also got injuries on account of assault made by the petitioner. The petitioner is in jail since 01.10.2016.

Considering the fact that it was the petitioner who also assaulted the child in the lap of informant and the child died instantly, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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