

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9984 of 2015

Arising Out of PS.Case No. -84 Year- 2014 Thana -SIDHWALIA District- GOPALGANJ

Subash Mahto son of Shiv Pujan Mahto, resident village Jhajhawa , P.S.
Sidhwaliya, District Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate.

For the Opposite Party/s : Mr. Anil Kr. Singh 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 02-04-2015

Heard both sides.

The petitioner seeks bail in a case registered under
Section 302 and other sections of the Indian Penal Code.

There is allegation against the petitioner that he
assaulted the husband of the informant with spade on his head and
also assaulted the informant. The husband of the informant died
during the course of treatment and the informant got grievous
injury on her hand.

It is submitted that the grand-father of the petitioner
had executed a deed of gift with regard to the land. The informant
side was aggressor, but it appears that there is a very specific
allegation that it was the petitioner, who assaulted the husband of
the informant with spade on his head resulting in his death and the
petitioner also caused grievous injury to the informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same positively within nine months from the date of receipt/production of copy of this order. If the trial is not concluded within the aforesaid stipulated period of time, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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