

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48671 of 2014**

Arising Out of PS.Case No. -289 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

=====

CHANDESHWAR SINGH SON OF LATE YOGENDRA SINGH  
RESIDENT OF VILLAGE - KHILWAT, P.S. BIDUPUR, DISTRICT –  
VAISHALI.

.... .... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... .... OPPOSITE PARTY/S

=====

**Appearance:**

For the Petitioner/s : Mr. Ravindra Kumar Singh, Adv.

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

=====

**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

3 31-03-2015

Heard learned counsel for the petitioner, learned  
Additional Public Prosecutor along with learned counsel for the  
informant.

There happens to be specific allegation against the  
petitioner to have inflicted *Chura* blow over stomach of  
informant while Manjeet Kumar had given another blow over  
his shoulder. During course thereof, Dharmendra assaulted  
with butt of rifle, Pankaj with hockey stick, Awadhesh and  
Dharamjeet have caught hold his respective hands as well as  
also assaulted with butt of pistol near eye.

Bulk of documents by way of Annexure have been  
annexed in the instant petition to show the long standing  
continuing animosity amongst the parties and in the aforesaid  
background, it has been submitted that as petitioner stood as a  
witness in a murder case against the prosecution party, on  
account thereof, he has been falsely implicated so that he  
should not stand before the court as an eyewitness.

Furthermore, it has been submitted that petitioner happens to be under custody since 11.09.2014.

Learned Additional Public Prosecutor as well as learned counsel for the informant opposed the prayer.

Gone through the case diary.

Informant / injured after having been attended at PHC was referred and on account thereof, was treated at Udayan Hospital, Patna and during course thereof, doctor had found injury no.3 stitched wounds of size 12cm over infra umbilical region. At PHC, the treating doctor had found the aforesaid injury in following dimension (i) incised wound over infra umbilical region of abdomen 12cm x 3cm x 3cm apart from other injuries and has also identified as dangerous to life.

In the aforesaid background, for the present I do not find it a fit case for grant of bail. Prayer for bail is rejected. The learned lower court is directed to expedite the trial side by side the learned counsel for the informant is requested to instruct his client to produce the witnesses at an earliest, failing which an adverse inference drawn against the prosecution.

**(Aditya Kumar Trivedi, J.)**

PN/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|