

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17402 of 2017

Arising Out of PS.Case No. -665 Year- 2016 Thana -BIHTA District- PATNA

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1. Bimlesh Chaudhary Son of Suresh Chaudhary Resident of Village -
Nagar Bihta, P.S. - Bihta, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 18-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 16.11.2016 in connection
with Bihta P.S. Case No. 665 of 2016 registered under Sections 365,
341, 323, 324, 307/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the
petitioner, who is of clean antecedent, is innocent and has not
committed any offence. In fact, altogether six persons have been named
in the F.I.R. but there is no specific allegation of assault is made out
against the petitioner. There is no any eye witness to the alleged
occurrence. The petitioner is rotting in custody for the last five months.

Learned A.P.P. for the State has opposed the prayer for
bail and submitted that the petitioner is named in the F.I.R. and there is
direct allegation of assault by a sharp cutting weapon upon the



petitioner, resultantly, the informant sustained injury on the eye and neck, which is grievous in nature.

Considering the nature of accusation, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of this petitioner is, hereby, rejected.

It is observed that the trial court shall expedite the trial and try to conclude the same preferable within a period of six months from the date of receipt of a copy of this order.

(Arvind Srivastava, J.)

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