

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4014 of 2017

Arising Out of PS.Case No. -18 Year- 2016 Thana -GAYGHAT District- MUZAFFARPUR

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1. Jai Shankar Singh @ Bikku @ Vikku, S/o Late Asharfi Singh, R/o-
Village- Durga Nagar, P.S.- Gaighat, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 18-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Gaighat
P.S. Case No. 18 of 2016 registered for the offences punishable
under Sections 307, 323, 324, 326, 341 and 504/34 of the Indian
Penal Code.

Allegedly, the petitioner was forbidden from throwing
rubbish in the drain by the informant and then the petitioner and
other co-accused came to the informant and started assaulting with
Farsa which firstly hit the right hand palm and then repeated the
blow with an intention to kill the informant on his head causing
cut injury resulting the informant fell down and then other co-
accused also assaulted him.

Submission is of false implication and that the I.O. has
inspected the place of occurrence. The drain is open drain. It is not



of the informant. The house of petitioner is towards north of the place of occurrence. The informant has un-necessarily caused threats to the petitioner for throwing the rubbish resulting there was some altercation. The petitioner has got no intention to commit the murder. There was no intervening circumstance and, as such, the petitioner deserves sympathetic consideration.

The learned APP opposes the prayer of bail by submitting that the doctor has found two injuries out of which one is sharp cut injury on scalp 5" x 2" and second is on palm 3" x ½".

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, at present I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Gaighat P.S. Case No. 18 of 2016 pending in the Court of learned Judicial Magistrate, 1st Class, Muzaffarpur.

However, the trial court is directed to expedite the trial and conclude the same within six months failing which, the petitioner, if at no fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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