

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49683 of 2017

Arising Out of PS.Case No. -346 Year- 2017 Thana -KRITYANAND NAGAR District- PURNIA
=====

1. Shiv Kumar Mahto Son of Late Ramjee Mahto Resident of Singhia, P.S.
K.Nagar (Champanagar) District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sri Bisheshwar Ram
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-11-2017 Heard the parties.

This application is for grant of regular bail in connection with K.Nagar (Champanagar) P.S.Case No.346 of 2017 for the offences punishable under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.

Allegation against the petitioner and other accused person is of assault to the deceased and further allegation against the petitioner is of assault by sharp cutting weapon to the deceased and due to the aforesaid injuries, she fell down and became unconscious and later on succumbed injuries.

Submission of the learned counsel for the petitioner is that though it has been alleged that several persons have assaulted but only injury has been found on the person of the



deceased and that too by heavy object. The petitioner is in custody since 12.7.2017.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that the post mortem report itself shows that cause of death is by heavy weapon and sharp edged weapon.

Having heard both sides and in view of specific allegation against the petitioner and the post mortem report, at this stage, I am not inclined to grant bail to the petitioner, however, the learned trial court is directed to expedite the commitment of the case and once it is committed and if the trial is not concluded within a period of nine months, after commitment, the petitioner is at liberty to renew his prayer for bail before the learned trial court itself, who will consider the materials available at that time before him and will pass appropriate order without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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