

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49401 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -AMNAUR District- SARAN

=====

1. Moti Raj Mahto S/o Late Mahesh Mahto resident of Village - Hussepur
Nonia Tola, P.S. - Amnour, District - Saran, Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Amnour
P.S. Case No. 04 of 2016 for the offence punishable under
sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal
Code pending in the court of the learned Judicial Magistrate, 1st
Class, Saran at Chapra.

It has been submitted on behalf of the petitioner that
the present prosecution case is false as would appear from the first
information report itself because the offence is alleged to have
been committed on 01.01.2016 but the F.I.R. has been lodged after
seven days of the occurrence but no reason for the delay has been
explained in the first information report. It has further been



submitted that actually persons from the side of the petitioner has also received injuries but the petitioner has not lodged any case against the prosecution party. The petitioner is in jail for more than ten months.

Heard learned A.P.P. also who has opposed the prayer for bail and stated that it is alleged in the F.I.R. that the petitioner assaulted Harendra Mahto on his head and other parts of the body by Farsa and the injury report shows that the injuries found on the person of Harendra Mahto are grievous in nature.

Having heard both sides and in view of the fact that there is direct allegation against the petitioner for causing grievous injuries, no doubt the petitioner has remained in jail custody for more than ten months, I am not inclined to grant bail to the petitioner. This application for bail is, accordingly, dismissed.

However, the learned trial court is directed to expedite the trial and if the case has not been committed to the court of Session, the learned court below shall take necessary steps to commit the case to the court of Session at the earliest.

(Vinod Kumar Sinha, J)

Amin/-

U			
---	--	--	--

