

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10173 of 2017

Arising Out of PS.Case No. -22 Year- 2016 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

=====

1. Rameshwar Mahto, son of Late Rajendra Mahto, Resident of Village-
Pakadi Bishouli (Naya Tola), Police Station- Guanaha, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Anil Kumar

For informant : Mr. Dinesh Nath Jha

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-03-2017 Heard learned counsel for the petitioner as well as

learned Addl. Public Prosecutor.

The application is for grant of bail in connection
with Gaunaha PS case no. 22 of 2016 for the offence under
Sections 147, 148, 149, 323, 325, 448, 307, 302 of the Indian
Penal Code.

It is submitted on behalf of petitioner that manner
of occurrence is not supported by medical evidence and the
petitioner is in custody for about five months. It is further
submitted that all other co-accused have been granted anticipatory
bail by a co-ordinate Bench of this Court vide order dated
19.05.2016 passed in Cr. Misc. no. 22222 of 2016 and though the



allegation against the petitioner is that he had assaulted indiscriminately on the deceased and other persons also assaulted the deceased but the medical evidence has not supported the same.

Heard learned A.P.P. also. Learned A.P.P. has opposed the prayer for bail.

Having heard both sides. In view of the fact that the allegation against the petitioner is that he has assaulted indiscriminately by lathi on head and the injury caused is due to hard and blunt substance and the case is under Section 302 of Indian Penal Code, I am not inclined to grant bail to the petitioner. As such, his prayer for bail is rejected at this stage. However, lower court is directed to expedite the trial and conclude the same within one year and the petitioner may renew his prayer for bail before the learned court below.

With these observations, this bail application is dismissed.

(Vinod Kumar Sinha, J.)

rinkee/-

U		T	
---	--	---	--

