

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55565 of 2018

Arising Out of PS.Case No. -597 Year- 2016 Thana -LAHERIYA SARAI District- DARBHANGA

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Bipin Kumar Yadav, S/o Ram Kumar Yadav, R/o Vill.- Tengrar, P.S.-
Khutauna, District- Madhubani, present resident of Haji Mustak Lodge, at
Madarpur, P.S.- Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 05-10-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Laheriasarai P.S. Case**
No.597 of 2016 instituted for the offence under Section(s) 341,
323, 324, 307/34 Indian Penal Code pending in the Court of the
Chief Judicial Magistrate, Darbhanga.

In the written report, it is alleged that this petitioner
along with 3-4 other unknown boys called the son of the
informant in a room at Haji Mushtaque Lodge situated at
Mohalla Mdarpur and caused injury on his neck with intention to
kill him with sharp weapon. It is further alleged that informant
learnt from mobile that his son has been brought in injured
condition in DMCH. The son of the informant in injured



condition wrote with his left hand the name of this petitioner on a plain paper and, thereafter, he became unconscious. The informant took his son from DMCH to Paras Hospital for treatment.

Case diary has been received. Learned APP has submitted that statement of victim boy has been recorded in para 27 of the case diary, wherein, he has levelled allegation against the petitioner of causing such injury in his neck after putting chilly power in his eyes.

The Sessions Judge has mentioned in the impugned order that it has come in para 34 of the case diary that a blood stained knife was recovered from the room of the petitioner.

Injury report has been annexed as Annexure-4 and the same is also available in the case diary, which shows that son of the informant has sustained grievous injury on his neck caused by sharp cutting weapon.

In such circumstances, this Court is not inclined to enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is rejected at this stage.

The Trial Court is directed to expedite the trial.

Liberty is given to the petitioner to renew his prayer



for bail after six months, if no substantial progress is made in the trial.

JA/- **(Sanjay Priya, J)**

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