

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59607 of 2018

Arising Out of PS. Case No.-57 Year-2018 Thana- MAHESHKHUNT District- Khagaria

Baidyanath Choudhary @ Bajju Choudhary S/o Late Jagdish Choudhary, R/o
Vill.- Kazichak, P.S.- Maheshkhunth, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Pandey
For the Opposite Party/s : Mr. Sri Chaubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-11-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Maheshkhunt P. S. Case
No. 57 of 2018 instituted for the offence under Section 302/34
of the Indian Penal Code.

It is alleged in the written report that this petitioner
caused injury in the thigh of the husband of the informant with
sharp knife and he was taken to hospital where he died. The
informant has further alleged that Shambhu Chourasiya has
also seen the occurrence.

Case diary has been received, wherein, the
postmortem report of the deceased is available. The doctor has
found injury in the thigh of the deceased and cause of death
is due to aforesaid injury.



Learned counsel for the State after looking into the case diary has submitted that informant in her further statement and other witnesses, namely, Shambhu Chourasiya, Gobara Pandit and Manoj Chourasiya have fully supported the case. There is direct allegation against this petitioner of causing injury to the husband of the informant in his thigh with sharp knife. Therefore, this Court is not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner stands rejected.

Learned counsel for the petitioner has submitted that case has already been committed to the Court of Sessions.

Trial Court is directed to expedite the trial and make efforts to conclude the same as early as possible preferably within a period of 9 months from the date of receipt of copy of this order.

Petitioner is given liberty to renew prayer for bail after nine months in the event the trial is not concluded.

(Sanjay Priya, J)

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