

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7152 of 2019

Arising Out of PS. Case No.-192 Year-2012 Thana- DESARI District- Vaishali

ANTU CHAUDHARY S/o Sakhichand Choudhary Village - Muratwatpur,
P.S. - Desari, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 302/34 of the Indian Penal Code.

The prosecution case, in brief, is that in the backdrop of
a petty issue, the accused persons assaulted son of the informant
on his head with lathi and, knife was also stabbed in his
stomach, as a result of which, informant's son received injury
and died in the way proceeding for treatment.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 29-11-2017. Charge sheet has
already been submitted.



Earlier prayer for bail of the petitioner was rejected vide Annexure-2 to the present application taking into account that the petitioner is main assailant.

A report was called for from the court below which has been received.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. He is main assailant.

Considering the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Sessions Trial No. 345 of 2016 arising out of Desri P.S. Case No. 192 of 2012 is rejected.

The trial court is directed to take all possible steps to expedite the trial and conclude the same as early as possible, preferably within a period of one year from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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