

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13433 of 2019

Arising Out of PS. Case No.-310 Year-2018 Thana- GHOSI District- Jehanabad

Upendra Das @ Upendra Mochi Son of Vasudev Das @ Vasdeo Mochi R/o
village- Chiri, P.S- Ghoshi, District- Jehanabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 06-08-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case initially registered under Sections 341, 323, 325, 324, 326, 379, 307, 504 and 354/34 of the Indian Penal Code, in which, later on, Section 302 of the Indian Penal Code was also added.

The prosecution case, in brief, is that while the informant was returning from market, the accused persons including the petitioner, in intoxicated stage, started catching her hand and snatched her golden Mangalsutra. It is further alleged that while the husband of the informant forbade to do the said act and came to rescue her, he was assaulted by the accused persons with Farsa, Lathi and Danda.

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 21-08-2018. Charge sheet has already been submitted. There is case and counter case between the parties. Four persons including the petitioner are alleged to have assaulted the deceased. No specific injury is attributed against the petitioner. The alleged occurrence is said to have taken place as there was some dispute between the family members of the parties. The date of occurrence is 12-08-2018 and the case was instituted on 14-08-2018. The postmortem was conducted on 20-08-2018.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. There is specific allegation against the petitioner for causing injury on the head of the deceased. The postmortem report corroborates with the allegation made in the FIR. There are multiple external injuries on the body of the deceased.

Considering the facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Ghosi P.S. Case No. 310 of 2018 is rejected.

The trial court is directed to expedite the trial and



conclude the same, preferably within a period of nine months
from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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