

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15825 of 2019

Arising Out of PS. Case No.-40 Year-2018 Thana- SALAKHUA District- Saharsa

CHHANGURI SAH @ CHHAUNGARI SAH Son of Kailu Sah Resident of
Village - Jamalnagar, P.O- Jamalnagar, P.S.- Salkhua, Ward No. 13, Distt -
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-05-2019 Heard the learned counsel for the petitioner, the
informant and the learned A.P.P. for the State.

The petitioner seeks bail in Salkhua (Banma Itahari
O.P.) P.S. Case No. 40/2018, instituted for offences under
Section(s) 341, 323, 324, 307, 504, 506 and 302 of the Indian
Penal Code.

It is alleged in the written report that on the date of
occurrence, while informant and her husband had gone to see
the field, all the F.I.R. named accused persons started abusing. It
is alleged that petitioner gave spade blow on the head and chest
of husband of informant causing injury, who subsequently died.

Case diary has been received, wherein post-mortem
report is available. Doctor has found injury on the midline



parietal part of head and also on the midline sternum. Cause of death is opined due to head injury caused by hard and blunt substance.

Learned counsel for the informant has submitted that there is direct allegation against this petitioner.

Considering the fact that petitioner is the main assailant, this Court is not inclined to grant bail to petitioner. Accordingly, payer for bail of petitioner is rejected.

The trial court is directed to expedite the trial and conclude the same as early as possible preferably within one year.

The petitioner will be at liberty to renew the prayer for bail in the event trial is not concluded within aforesaid period.

(Sanjay Priya, J)

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