

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19353 of 2019

Arising Out of PS. Case No.-94 Year-2018 Thana- DESARI District- Vaishali

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AMOD GIRI Son of Late Ram Seresh Giri Resident of Village- Bihjadi, P.S.-
Deshari(O.P. Sahdei Buzurg), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri

For the Opposite Party/s : Mr.Ajay Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 09-08-2019 Counsel for the petitioner is permitted to make

necessary correction in paragraph 6 of the application in course

of the day.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 341, 307, 504, 506/34 of the Indian
Penal Code in which Section 302 IPC is added later on.

The prosecution case in short is that the accused
persons assaulted the *bhainsur* of the informant due to which he
sustained injury and later succumbed to the injury.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 11.9.2018 and has got no
criminal antecedent. There is no allegation of tampering of



witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. A single blow is alleged to have been given on the head. No repetition has been made. It is, at best, a case for an offence under Section 304IPC.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R. The charge has already been framed. Specific allegation of assault is alleged against the petitioner. Injury has been caused on the vital part of the body. The said injury is corroborated by the post-mortem report.

Considering the same, I am not inclined to grant bail to the petitioner in connection with Deshari P.S. Case No. 94/2018. The same is rejected. The Trial Court is directed to conclude the trial at the earliest preferably within nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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