

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77082 of 2018

Arising Out of PS. Case No.-29 Year-2018 Thana- TANKUPPA District- Gaya

=====

Pankaj Kumar Mathur @ Pankaj Mathur, Son of Late Sidheshwar Prasad Mathur @ Sidheshwar Mathur, Resident of village- Chowar, P.S.- Tankuppa, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate.

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-03-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Tankuppa P.S. Case No. 29 of 2018**, instituted for the offence under Section(s) 147, 148, 149, 302 and 307 of the Indian Penal Code pending in the court of learned Additional Chief Judicial Magistrate, 1st, Gaya.

It is alleged in the written report that on the date of occurrence petitioner along with other accused persons armed with deadly weapons came at the house of the informant. It is further alleged that co-accused Pintu Kumar assaulted the father of the informant with *Garansa* causing serious injury on his head and ear, on account of which, he became unconscious. Allegation against the petitioner is that he assaulted nephew of



the informant namely Ujjwal Kumar aged about seven years with sword, who was sleeping with father of the informant, causing cut injury near his neck. The informant along with villagers took his father and nephew to Hospital, but father of the informant died on way to hospital. His nephew was admitted in Magadh Medical College.

Case diary has been received.

The injury report of nephew (*Bhagina*) of the informant is available in the case diary wherein the Doctor has found mandible fracture which is grievous in nature.

The Sessions Judge in the impugned order has mentioned the age of nephew of the informant as 7 years.

In such circumstances, there is direct allegation against the petitioner of causing injury to seven years old boy.

Therefore, this Court is not inclined to grant bail to the petitioner.

Prayer of the petitioner for grant of bail stands rejected.

The trial court is directed to expedite the trial and make efforts to conclude the same as early as possible preferably within a period of nine months.

Petitioner will be at liberty to renew his prayer for



bail after nine months in the event no substantive progress is made in the trial.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

