

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24594 of 2019

Arising Out of PS. Case No.-32 Year-2016 Thana- VIDYAPATINAGAR District- Samastipur

SAHDEO SAH, Son of Late Juga Sah Resident of Ward No. 16, Mahnar,
Chauri, P.S.- Mahnar, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 29-05-2019 Heard the learned counsel for the petitioner, the
informant and the State.

The instant petition has been filed for grant of interim bail to the petitioner on medical ground for the period at least for three months in connection with S.Tr. No. 812/2017, arising out of Vidyapati Nagar P.S. Case No. 32/2016, instituted for offences under Section(s) 307, 302, 120(B)/34 of the Indian Penal Code read with Section 27 of Arms Act.

Earlier prayer for bail of petitioner was rejected on merit with direction to the trial court to conclude the trial preferably within a year.

Learned counsel for the petitioner has drawn attention of this Court towards report of C.T. Scan (Annexure-3 series) dated 17.10.2017 and also report of Jail Doctor dated



16.03.2019. The Jail Doctor, Dalsingsarai has recommended to send the petitioner to Sub Divisional Hospital, Dalsingsarai for treatment.

Report from the court below regarding present stage of case has been received, from which it appears that prosecution evidence has already been closed. Case is pending for statement of petitioner under Section 313 Cr.P.C. It is also mentioned in the report that petitioner has been sent to Hajipur Jail with regard to some other case pending in Hajipur.

From the report of Jail Doctor dated 16.03.2019 it appears that petitioner can be given proper treatment in the hospital at Dalsingsarai.

Therefore, this Court does not find any merit in the instant petition for grant of interim bail to the petitioner.

Prayer for interim bail of petitioner is accordingly rejected.

Trial Court is directed to expedite the trial and conclude the same within a period of four months from the date of receipt of this order.

It is made clear that in the event physical condition of petitioner deteriorates and the doctor finds some specialize treatment then petitioner may file necessary petition before the



trial court, which shall be disposed off by the court below on its
own merit in accordance with law.

(Sanjay Priya, J)

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