

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50121 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- RAMNAGAR District- West Champaran

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MOHAN BAITHA S/o Late Bhikhan Baitha R/o village- Hardiya, P.S.- Ram
Nagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithvi Nath Mishra

For the Opposite Party/s : Mr.Arun Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-08-2019 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, 302, 323, 307, 504, 506 and 34 of
the Indian Penal Code.

The prosecution case in short is that the accused
persons assaulted the father of the informant due to he lost his
life.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 5.2.2019 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. There is admitted land dispute



between the parties. Single lathi blow is alleged to have been given by the petitioner. The petitioner had no intention to commit murder. At best, it is a case for an offence under Section 304 IPC.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The fatal injury is alleged to have been caused by this petitioner which led to the death of the deceased. The informant is an eye witness to the alleged occurrence.

Considering the same, I am not inclined to grant bail to the petitioner in connection with Ram Nagar P.S. Case No. 18/2019. 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. The petitioner may renew his prayer for bail after completion of one year of custody.

(Sudhir Singh, J)

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