

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81910 of 2019

Arising Out of PS. Case No.-257 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

Manoj Mehta, Son of Yogendra Mehta, Resident of Village - Sirkhiriya, P.S.-
Runnisaidpur, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed the prayer for bail in a case registered for the offences punishable under Sections 341, 323, 504, 324 and 307 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was rejected vide order dated 29.03.2019 passed in Cr. Misc. No. 2545 of 2019 wherein liberty was given to the petitioner to renew the prayer for bail after six months in the event no substantive progress being made in trial.

The prosecution case as per the written report of Jaleshwar Mehta submitted to the In-charge of Mahindwand O.P. is to the effect that on 17.05.2018 at 7.30 A.M., the son of the informant, namely, Raushan Kumar was going to his home



when the petitioner along with 3 others arrived and co-accused Prakash Mehta and Ankit Mehta caught hold the son of the informant and thereafter, the petitioner assaulted the son of the informant with a sword on his head causing bleeding injury, as a result, he became unconscious and fell down on the ground. When the informant and his wife came to rescue their son then they were also assaulted by the petitioner with sword causing injury to them.

Considering the nature of injury to the son of the informant caused by the petitioner showing mutli fragment displaced fracture in left parietal bone, i.e., bony fragment in scalp soft tissue swelling in left parietal region, the prayer for bail of the petitioner was rejected vide order dated 29.03.2019 passed in Cr. Misc. No. 2545 of 2019 by a Co-ordinate Bench of this Court, but, however, liberty was given to the petitioner to renew the prayer for bail after six months in the event no substantive progress being made in trial. The impugned order suggests that after framing the charge, one witness has been examined.

It is submitted by learned counsel for the petitioner that there is no likelihood of trial being concluded in near future. A statement has been made in paragraph 3 of the petition that



the petitioner is not having any criminal antecedent.

Learned APP submits that the thrust of accusation is against the petitioner.

Considering the fact that the petitioner is not having any criminal antecedent, there is no likelihood of trial being concluded in near future and liberty given earlier, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge, Sitamarhi in connection with Sessions Trial No. 317 of 2019, arising out of Runnisaidpur P.S. Case No. 257 of 2018.

(Dinesh Kumar Singh, J)

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