

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3665 of 2020

Arising Out of PS. Case No.-276 Year-2017 Thana- TEGHRHA District- Begusarai

Mukesh Pandit @ Mukesh Ku Pandit @ Mukesh Kumar Pandit, aged about 30 years (Male), S/o Late Bino Pandit Resident of Village- Tolapar, P.S.- Teghra, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 29-05-2020 Heard learned counsel for the petitioner and learned counsel for the State through virtual court proceeding.

In this case, the petitioner is seeking bail in connection with Teghra P.S. Case No. 276 of 2017 registered for offences under sections 147, 148, 149, 341, 323, 307, 302, 452 of the Indian Penal Code.

As per allegation, on 29.9.2017 at about 22.45 hours in the night, the petitioner along with other family members entered into the house of the Informant and started to assault his father mercilessly who finally succumb to his injury.

Learned counsel for the petitioner submits that there is a delay in lodging the First Information Report. He further submits that the Chief Judicial Magistrate has also



received the First Information Report after a considerable period of time but, from the records, it appears that the incident has taken place in the night and on the very next day the First Information Report was instituted though the Fardbeyan was taken on the same day and the Chief Judicial Magistrate has received the First Information Report on 4.10.2017. Learned counsel for the petitioner further submits that there is a delay which creates a suspicion in the statement of the prosecution.

In paragraph no.6, 7 and specifically in paragraph no.24 of the case diary, specific allegation has been made against the present petitioner of actively participating in assaulting the victim who ultimately succumb to his injury.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, above named, is rejected for the present.

(Shivaji Pandey, J)

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