

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12340 of 2020

Arising Out of PS. Case No.-614 Year-2019 Thana- KHAJANCHI HAT District- Purnia

MD. MOJIM Son of Md. Sultan Resident of Village - Kajha Ganeshpur, P.S.-
K. Nagar, Dist.-Purnea.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr. Advocate

Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 09-06-2020 The matter has been listed today for consideration through Video Conferencing in view of the Nationwide Lockdown on account of the Covid 19 pandemic.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Senior Counsel for the petitioner and the learned APP for the State.

Petitioner seeks bail in K. Hat PS Case No. 614 of 2019 registered under Section 364/34 of the IPC.

The case of the prosecution is that the victim is grand-son of the informant. It is said that he was a Tempo Driver of Dinesh Kumar Mandal. The FIR has been lodged naming the petitioner along with other co-accused that they were in the habit of teasing and troubling the victim.

Learned Senior Counsel appearing for the petitioner submits that the date of occurrence is 17.8.2019. In this connection, the FIR has been lodged after undue delay on 24.8.2019. It is further



submitted that the case is one based on circumstances and suspicion. Further submission is that co-accused Sandeep @ Sanjib has been allowed bail.

Learned APP has appeared on behalf of the State. It is stated that the petitioner's name has consistently been taken by the informant and other witnesses who have been examined during the course of investigation. Motive is also existing since the informant has stated that the victim was being troubled by the instant petitioner and others since before. It is also submitted that co-accused Sandeep @ Sanjib is not one of the co-accused as per FIR.

Considering the rival submission, for the present, this Court is not inclined to grant bail to the petitioner.

This application is dismissed.

(Madhuresh Prasad, J)

SNkumar/-

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

