

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79550 of 2019

Arising Out of PS. Case No.-140 Year-2019 Thana- GOVINDGANJ District- East
Champaran

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TASLIM MIAN Son of Raiful Mian Resident of Village-Belahi, P.S-Malahi,
District-East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Jagdish Prasad, Adv.
For the State	:	Mr.Surendra Prasad Singh, APP
For the Informant	:	Mr. Kundan Rathour, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-06-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Gobind Malahi P.S. Case
No.140 of 2019 registered under Sections 147, 341, 302, 504
and 34 of the Indian Penal Code.

The informant alleged that Sakina Khatoon, Sabnam
Khatoon and Sabana Khatoon came to his house and they were
abusing, on such, his father asked the reason but Sabnam
Khatoon disclosed that his child assaulted her child in the
school. His father gave assurance to forbid his child but all the
three women continued to abuse and caught his father. In the
meantime, Taslim Mian(the petitioner) and Raiful Mian came
there. Raiful Mian exhorted to assault and on such, Taslim Mian
assaulted his father with iron rod on his head and neck. His



father fell down on account of became unconscious. The informant got his father to hospital but his father died on way to hospital.

Mr. Jagdish Prasad, learned counsel for the petitioner submits that there is allegation of assault against the petitioner but the post-mortem report does not support the allegation. Petitioner is in jail for nine months and there was no intention on the part of the petitioner to kill the deceased but it appears that there is specific allegation against the petitioner that the petitioner assaulted the deceased with iron rod on his head and neck. Corresponding injuries were found. The doctor found the injuries on head and neck caused by hard and blunt object on account of which, the father of the informant died.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Since the petitioner is in jail for nine months, the trial court is directed to hold the trial on day to day basis and conclude the same within nine months from the date of receipt of this order.

The S.P., Motihari is directed to ensure the attendance of prosecution witnesses so that the trial must be concluded within nine months.



Let a copy of this order be sent to S.P., Motihari for
information and needful.

(Prabhat Kumar Jha, J)

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