

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11710 of 2021

Arising Out of PS. Case No.-123 Year-2019 Thana- SABAUR District- Bhagalpur

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ASHISH KUMAR, S/o- SHIV NARAYAN MANDAL, Resident of Village-
Goradih, P.S.- Goradih and District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Mukesh Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 323, 324, 307, 302, 504,
34 of the Indian Penal Code.

Allegation against the petitioner alongwith other
accused persons is said to have assaulted the informant and his
family members due to which her husband died.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. He further submits that there is land dispute between the parties and the whole family implicated in this case. There is specific overt act against the petitioner. The petitioner is in jail custody since 06.11.2019. The petitioner has no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposed the prayer for bail petition.

Considering the specific overt act against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with S.T. No. 116/2020 arising out of Sabaur (Goradih) P.S. Case No. 123/2019 from the Court of learned IVth Additional District and Sessions Judge, Bhagalpur.

Accordingly, this application is dismissed.

However, the trial court is directed to expedite the trial.

(Anjani Kumar Sharan, J)

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