

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31495 of 2020

Arising Out of PS. Case No.-257 Year-2018 Thana- PIPRA District- Supaul

RANJAY YADAV S/o Late Budhu Yadav Resident of Village-Chakla, Ward No.13, P.S.-Pipra, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sabal Kumar Jha
For the Opposite Party/s	:	Mr. B. N. Pandey
for the Informant	:	Mr. Naresh Kumar Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 11-01-2021

Heard both sides.

The petitioner seeks bail in Pipra P.S. case No. 257/2018 registered u/s 302, 341, 323, 504/34 of the IPC.

The informant alleged that while her son was cleaning she-buffalo at her Darwaja the water drained in the field of the petitioner and due to this Ranjay Yadav, the petitioner, Lalita Devi and Sangeeta Devi assaulted the informant and her son. After some time, husband of the informant came. Lalita Devi caught the husband of informant and the petitioner assaulted her husband with Khanti on his head. Her husband was brought to hospital and he was under treatment. Her husband was referred to Siliguri and on 13.11.2018 he died.

The learned counsel for the petitioner submits that the occurrence took 18.10.2018 on petty dispute but the FIR was lodged on 13.11.2018. The husband of the informant died after three weeks of the occurrence and no such assault was made to cause death of the husband of the informant and at best a case u/s 304 II of the IPC can be made out but from perusal of the



post mortem report, it appears that deceased got injuries on his head and there was surgery. Corresponding injury was found on the head of the deceased, who died during the course of treatment, on account of injuries found on his head and due to subsequent development during the course of treatment.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on bail, at this stage. Accordingly, the same is rejected.

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 Superintendent of Police, Supaul is directed to ensure the attendance of prosecution witnesses in the trial court so that the trial must be concluded within nine months.

Let a copy of this order be sent to the trial court and the Superintendent of Police, Supaul for information and needful.

If the trial is not concluded within nine months, the petitioner, if so advised, may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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