

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10648 of 2021**

Arising Out of PS. Case No.-28 Year-2020 Thana- MURLIGANJ District- Madhepura

Jawahar Sah Son Of Late Lakhan Sah Resident Of Village - Rampur Ward -
No 10 Police Station - Murliganj, Distt- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Najeeb Ahmad,Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 21-08-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Murliganj P.S. Case No. 28 of 2020 registered for the offences punishable under Sections 341, 323, 324, 307 of the Indian Penal Code. He is in custody since 29.01.2020.

As per the prosecution story, the wife of this petitioner took the mother of the informant to her house. When the mother of the informant reached there, this petitioner torn her clothes and assaulted her with a dagger on her chest, waist and shoulder

causing multiple injuries. He also assaulted her by an axe on her back and on her head as a result whereof she fell down. In the meantime, one Vishal Kumar who was a relative of co-villager Vinod Sah reached there to save the mother of the informant but the petitioner assaulted him as well by sharp cutting weapon. Both the injured were hospitalised and were fighting for their life.

Learned counsel for the petitioner, however, submits that the allegations in the First Information Report are false and the petitioner and the informant being neighbour are on inimical terms with each other which is the reason for false implication.

On the other hand, learned APP for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the petitioner is the sole assailant, he has inflicted multiple injuries on the vital parts of the bodies of the injured which have been found grievous in nature.

Considering the facts and circumstances of the case, the seriousness of the allegation against this petitioner showing that he has repeatedly assaulted the mother of the informant and the another person, they have suffered several injuries on their body and those injuries have been reported in paragraphs '34' and '36' of the case diary, there are several witnesses who have

also supported the allegations against the petitioner, this Court is not inclined to release the petitioner on bail at this stage. The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited. Learned trial court is expected to proceed with the trial as early as possible and conclude the same preferably within a period of one year from the date of start of physical functioning of the court. If the trial is not concluded within the aforesaid period for no reason attributable to the petitioner, he may renew his prayer for bail.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.