

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7218 of 2022

Arising Out of PS. Case No.-499 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Ashok Rai Son of Late Ram Brichha Rai R/O Village- Chakyama, P.S.-
Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 11-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Hajipur
Sadar P.S. Case No. 499 of 2021 registered for the offence under
Sections 341, 323 and 307 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.05.2021.

The allegation against the petitioner is to assault with
sharp cut weapon to informant and others with intention to
cause their death.

Learned counsel appearing on behalf of the petitioner
submitted that in want of nature of injury, it cannot be safely



gathered that petitioner was under intention to cause death of injured persons including informant. It is also pointed out that weapon used to cause injury was also not recovered during the course of investigation to connect petitioner with present set of occurrence. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel, Ms. Shama Sinha, appearing on behalf of informant, while opposing the prayer of bail, submitted that the manner in which assault were made on three different injured persons causing multiple sharp cut injuries, is sufficient to gather that petitioner was under intention to cause their death and also submitted that liberty of such person is a threat to the society. It is further submitted that injuries caused to all three injured persons by petitioner is on vital parts, repeated and is in corroboration with manner of assault and nature of weapon alleged to cause injuries.

Considering the facts and circumstances as mentioned above, as petitioner caused multiple sharp cut injuries on vital



parts in chain to three different persons, without any immediate provocation, this Court is not inclined to grant bail to the petitioner, at present.

Accordingly, prayer of bail of the petitioner is rejected herewith.

The learned Trial Court is directed to proceed with the matter, by taking it on board, on daily basis, so as trial may conclude within three months from the date of receipt of this order.

Superintendent of Police, Vaishali is directed to produced the charge-sheeted witnesses, as and when directed by the learned Trial Court/Special Court, for expeditious disposal of trial, within specified time, as directed above.

(Chandra Shekhar Jha, J)

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