

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64926 of 2021**

Arising Out of PS. Case No.-141 Year-2020 Thana- KALYANPUR District- Samastipur

ARVIND TRIVEDI SON OF LATE MAHAVIR TRIVEDI R/O VILLAGE-
RAMAULI, P.S.- KALYANPUR, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Ranjan
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

5 28-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 141 of 2020 registered for the offences
punishable under Sections 307, 323, 324, 341, 379, 447, 504
and 34 of the Indian Penal Code.

As per prosecution case, petitioner and others
entered into the house of informant with Farsa, Iron Rod and
Lathi in their hands and started abusing the informant. In the
meantime, Arvind Trivedi (Petitioner) has hit on the head of
informant by means of iron-rod in his hand due to which she
sustained head injury and fell down.



Learned counsel for the petitioner submits that petitioner is in custody since 04.09.2020. Petitioner bears no criminal antecedent. Charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that according to medical report of DMCH informant got simple injury, however, reason is that she had fallen down on the hard substance which caused injury, so no offence under Section 307 of the I.P.C. is made out against the petitioner.

Learned counsel for the State vehemently opposes the prayer for bail of the petitioner by submitting that bail prayer of petitioner has earlier dismissed by the co-ordinate bench of this Court vide order dated 01.02.2021.

The learned trial court vide its letter no. 76/ 2022 dated 13.07.2022 reported that case is fixed for evidence of the witnesses and the trial is likely to be concluded within six months.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as taking note of report of learned trial court, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.



However, learned trial court is directed to conclude the case within five months from the date of receipt of the order and the petitioner may renew the prayer of bail if the trial is not concluded within aforesaid stipulated period.

(Alok Kumar Pandey, J)

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