

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9539 of 2022

Arising Out of PS. Case No.-5 Year-2021 Thana- SAKSOHRA District- Patna

Suraj Bhan Kumar Son Of Dharam Raj Paswan Resident Of Village- Kaima,
P.S.- Saksohra, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 10-01-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 326, 341, 307, 302, 504 of the Indian Penal Code.

The prosecution case as per F.I.R is that all the F.I.R named accused persons including the petitioner assaulted the informant and other family members of the informant. It is specifically alleged against this petitioner that he assaulted with sword on the leg of the deceased as a result of which, he sustained injury on his



leg.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. It is further submitted that there is land dispute between the parties. The petitioner is alleged to have assaulted with sword on the leg of the deceased which is not vital part of the body. The petitioner is languishing in custody since 07.04.2021.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that there is specific accusation against the petitioner that he assaulted with dangerous weapon i.e. sword on the leg of the deceased. The postmortem report also suggests left leg cut and separated above ankle joint region and the cause of death is due to cardio respiratory failure due to injuries caused by sharp object. During investigation, the independent witnesses have also supported the case of the prosecution.



Since there is specific accusation against the petitioner, this Court is not inclined to grant bail to the petitioner for the present. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same within a period of six months from today. The petitioner is at liberty to renew his prayer for bail, if the trial is not concluded within six months.

(Sunil Kumar Panwar, J)

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