

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12780 of 2023**

Arising Out of PS. Case No.-188 Year-2013 Thana- CHANPATIA District- West Champaran

JAWAHAR SAH Son of Late Khedan Sah R/o village - Geedha Ward No.- 5,  
P.S.- Chanpatiya West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Mr.Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      28-11-2023                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with Chanpatiya P.S. Case No. 188 of 2013 instituted for the offence under Section 147, 148, 149, 341, 323, 324, 302 of the Indian Penal Code.

3. As per allegation in the FIR, while the informant along with his son was going to under constructed house, in the meantime, the accused persons including the petitioner surrounded him. This petitioner is said to have assaulted the informant's son by means of iron rod due to which he sustained injury and died during course of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely



been implicated in this case due to land dispute between the parties. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 1.8.2022.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that this is very old case, occurred in year of 2013. The petitioner has specifically been alleged to assault the deceased by means of iron rod due to which he sustained injury and died. It is also submitted that the witnesses of the case has supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same within a period of nine months, failing which, the petitioner may renew his prayer of bail.

**(Sunil Kumar Panwar, J)**

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