

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16448 of 2023

Arising Out of PS. Case No.-637 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

Bhola Yadav S/O- Lallan Yadav Village- Bharkhar Ps- Mohania Dist- Kaimur
Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Pathak, Advocate
For the Informant	:	Mr. Rajni Kant Pandey, Advocate
For the Opposite Party/s	:	Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 28.11.2022 in connection with Mohania P.S. Case No. 637 of 2022, F.I.R. dated 24.11.2022 registered for the offences punishable under Sections 448, 341, 324, 307, 326 of the Indian Penal Code.

3. Allegation against the petitioner is that he assaulted the informant on his chest.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. and in the present occurrence the petitioner has also injured.

5. Learned counsel appearing on behalf of the Informant and learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation that he assaulted on the chest of the informant and the injury report also supports the allegation as alleged in the F.I.R.

6. Vide order dated 20.06.2023, a report was called for with regard to the stage of the trial. Report dated 27.06.2023 of the learned Trial court reveals that out of nine chargesheeted witnesses, six chargesheeted witnesses have been examined.

7. Learned counsel for the Informant submits that now all the witnesses have already been examined and the case is pending for the statement under Section 313 of the Cr. P.C. and argument.

8. Considering the aforesaid facts and in view of the report of the learned Trial court, I am not inclined to enlarge the petitioner on bail in connection with Mohania P.S. Case No. 637 of 2022 pending in the Court of learned Additional Chief Judicial Magistrate, Mohania, Kaimur at Bhabua.



9. Prayer is refused.

10. However, the learned Trial court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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