

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22331 of 2023

Arising Out of PS. Case No.-444 Year-2022 Thana- BAISI District- Purnia

Shahadat @ Sahadat Son Of Late Sadir Resident Of Village - Sugwa
Mahanandpur, P.S. - Baisi, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shankar Kumar, Advocate
For the Informant	:	Mr. Fazle Karim, Advocate
For the State	:	Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-08-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the Informant and learned APP
for the State.

2. Petitioner seeks bail, who is in custody since
16.11.2022, in connection with Baisi P.S. Case No. 444 of 2022,
F.I.R. dated 12.11.2022 registered for the offences punishable
under Sections 302 and 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he has
brutally assaulted the informant's husband with a wooden stick
repeatedly on his head whereas the other co-accused persons
hold his hand and legs. Informant's husband was bleeding
profusely from his head and somehow brought to the Primary
Health Centre, Baisi for his treatment where the doctor declared



him dead.

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.

5. Learned counsel appearing on behalf of the Informant as well as learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that there is specific and direct allegation against the petitioner that he had brutally assaulted with wooden stick repeatedly to the husband of the informant on his head

6. Vide order dated 17.07.2023 a report was called for with regard to the stage of the trial. Report dated 17.08.2023 of the learned Trial Court reveals that out of five chargesheet witnesses, three witnesses have already been examined and the case is pending for the examination of the rest two prosecution witnesses.

7. In view of the aforesaid that there is direct and specific allegation against the petitioner and in view of the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with Baisi P.S. Case No. 444



of 2022 pending in the Court of learned Chief Judicial Magistrate, Purnea.

8. Prayer is refused.

9. However, learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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