

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21568 of 2022

Arising Out of PS. Case No.-9 Year-2005 Thana- DEWARIA District- Muzaffarpur

DINESH DAS @ BUCHKATWA Son of Late Kalpur Das Resident of Village
- Sri Rampur, P.s.- Kathaiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Prakash Shrarma

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 10-01-2023 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 Deoria
P.S. Case No. 09 of 2005 registered for the offences punishable
under Sections 143, 323, 341, 144, 379 and 307 of the Indian
Penal Code and subsequently added section 302 of the IPC.

As per prosecution case, there is specific allegation
against the petitioner that he is alleged to have assaulted the
informant by means of farsa as a result of which informant
sustained injury on head.

Learned counsel for the petitioner submits that
petitioner is in custody since 05.01.2022 and bears no criminal



antecedent. He further submits that petitioner is quite innocent and falsely implicated in the case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that from the perusal of the FIR, it appears that the case is of 2005 and the petitioner has surrendered before the court on 05.01.2022 thereby the disposal of the case has been delayed.

Considering the facts and circumstances of the case, occurrence took place in 2005 and no reason has been explained as to why the petitioner has not surrendered prior to 2021 though the case was registered against the petitioner in 2005 and also taking into consideration the material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of petitioner is hereby rejected.

However, the learned trial court is directed to expedite the trial as early as possible.

(Alok Kumar Pandey, J)

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