

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65933 of 2022

Arising Out of PS. Case No.-167 Year-2021 Thana- JAMOBABAZAR District- Siwan

Umesh Yadav S/O Ram Chandra Yadav Resident Of Village- Barhoga Yadu
Ramu Ray Ke Tole, P.S.- Jamo Bazar, District- Siwan.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 29-03-2023 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Jamo Bazar P.S. Case No. 167 of 2021 lodged under Sections
147, 149, 341, 324, 323, 325, 307 of the I.P.C.

Learned counsel for the petitioner submits that the
bail application was earlier rejected on 06.09.2022 in Cr. Misc.
No. 25630 of 2022, by this Hon'ble Court. Learned counsel
submits that on the earlier occasions, this case was not decided
on merit and was dismissed only and only on the ground that
false statement was made before the Court, about the criminal
antecedent of the petitioner, therefore, he submits that this bail

application should be heard on merit and then it should be decided.

Counsel for the petitioner submits that the allegation against the present petitioner is to attack on one Vijay Singh, after he became unconscious. The allegation upon the petitioner is that he attacked on the said Vijay Singh's head and thereafter, repeatedly attacked on his body. Counsel submits that the statement of some witnesses are not supporting this allegation. Counsel further submits there are only 2 cases pending against the petitioner in which he is on bail. He submits that on 25.12.2021 charge-sheet has already been framed in this case.

Learned counsel for the State opposes the prayer for bail and submits that there is direct allegation against the petitioner to attack on the deceased, on his head as well as on his whole body, by iron-rod. Allegation is specific and therefore, his bail may not be granted.

Counsel for the informant submits that from order passed by Additional Sessions Judge-11th, Siwan, it is crystal clear that not only the allegation of assault by iron-rod on the head and body of the deceased is there, rather the said injuries are also supported by the post-mortem report, done in the P.M.C.H., as indicated in the rejection order of the bail of the

petitioner.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner.

With this observation, the bail application stands rejected.

Trial court is directed to expedite the trial within nine months from today.

(Dr. Anshuman, J.)

Ashishsingh/-

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