

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10843 of 2024**

Arising Out of PS. Case No.-89 Year-2023 Thana- CHANAN District- Lakhisarai

Kedar Das S/O Late Mangal Das Village- Manapur, Ps. Chanan, Dist.  
Lakhisarai (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md Irshad, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

3      22-05-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chanan  
P.S. Case No. 89 of 2023 dated 16.07.2023 instituted for the  
offence punishable under Sections 341, 342, 504, 506, 307/34 of  
the Indian Penal Code.

3. The prosecution case, in brief, is that on the alleged  
date of occurrence the informant along with his son went to her  
orchard to see the mango trees. While returning, they saw that a  
party was going on in the house of the petitioner. In the  
meanwhile, accused Uttam Kumari abused the informant. Other  
accused persons, namely, Chandan Das, Shrawan Bind, Bablu  
Manjhi caught hold the informant's son from behind and the  
petitioner has stabbed a knife in his abdomen. On hue and cry, the  
informant's elder son, Awadhesh Das, came to their rescue then



the co-accused Chandan Das and Anshu Kumar tried to stab him but he caught the knife from his hand due to which he sustained injury in his hand. When the villagers came to the place of occurrence, the accused persons fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that allegation against the petitioner is that he stabbed with a knife to the informant's son. Learned counsel for the petitioner submits that earlier in the year 2022, a complaint case was filed by one Uttam Kumari, one of the co-accused of this case, against the informant, in which the petitioner was made witness. Due to that reason, the petitioner has been falsely implicated in this case. Lastly, it has been submitted that the petitioner is in custody since 22.11.2023 having one criminal case against him and charge-sheet has been submitted in this case.

5. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

6. In the injury report, Doctor opined that one stab wound size 1" x 1" x 1½" on the right side hypogastric region has been found on the body of the informant's son, which has been caused by pointed and sharp weapon. Doctor also opined that nature of injury is dangerous to life in ordinary cause of nature.



7. A report dated 18.03.2024 has also been submitted by lower court stating therein that ‘altogether six witnesses have to be examined on behalf of the prosecution. Therefore, at least six months time would be required to conclude the trial if the prosecution would be able to produce the witnesses within a time frame.’

8. Since there is specific allegation of assault against the petitioner and injury report also supports the version of the *fardbyan*, I am not inclined to grant bail to the petitioner for the present.

9. Accordingly the prayer of the petitioner for bail is rejected.

10. The Trial Court is directed to expedite the trial and take all endeavor to conclude the trial at the earliest, preferably, within a period of one (01) year from the date of receipt/production of a copy of this order. If the trial is not concluded within one year, the petitioner will be at liberty to renew his bail application after one year.

11. The Bail Application stands dismissed.

**(Khatim Reza, J)**

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