

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30281 of 2023

Arising Out of PS. Case No.-321 Year-2021 Thana- EKMA District- Saran

JITENDRA SAH Son of Santosh Sah @ Lutan Sah Resident of village -
Badheya Tola, Bhuwarpur, P.S. - Ekma, Distt. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

6 12-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Ekma
P.S. Case No. 321 of 2021 registered for the offences punishable
under Sections 341, 323, 324, 325, 326 and 307 of the Indian
Penal Code.

3. As per prosecution case, petitioner is said to have
assaulted the informant by means fahsul (an weapon used for
cutting vegetable) causing injury on her hand, finger and head.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 08.08.2021 and bears no criminal
antecedent. He further submits that petitioner has not intention
to kill his wife and the occurrence has taken place at the spur of
moment. Petitioner is quite innocent and has committed no



offence as alleged against him in F.I.R.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner by submitting that there is direct allegation of assaulting the informant against the petitioner by means of sharp cutting weapon and the same is corroborated by the injury report as mentioned in para 26 of the case diary.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with injury report as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

7. However, the learned trial court is directed to conclude the trial within six months from the date of receipt/production of copy of this order to the court concerned. If the trial is not concluded within the stipulated period, petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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