

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50435 of 2024

Arising Out of PS. Case No.-290 Year-2023 Thana- JOKIHAT District- Araria

Md. Mojib Son Of Late Sahid Village- Sishona, Ward No. 07, P.S.- Jokihat,
Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Jokihat P.S. Case No. 290 of 2023 dated 16.06.2023, instituted for the offence punishable under Sections 341, 323, 324, 308, 379, 504, 506/34 of the Indian Penal Code. Later on Sections 302 of the IPC was also added.

3. The prosecution case, in short, is that on 14.06.2023, the goat of the accused had gone into someone's field. The accused person blamed the informant that you have said that a goat has been gone into the field and made a false accusation against him. They attacked with weapon like lathi, gun and Dabiya. The petitioner assaulted the informant with a Dabiya on his head. The accused persons threatened that right



now only the head of the informant is broken, but he will kill him soon. The co-accused namely, Bibi Rahmina and the informant are mango vendors and as soon as they reached home after selling mangoes, petitioner falsely accused them and also snatched Rs. 2500/- from their pocket. Thereafter, the villagers took him to the hospital.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner has been falsely implicated in this case due to land dispute. It is further stated that informant was an elderly man and was already ill and he died during treatment. Lastly, it has been submitted that the petitioner is in custody since 24.06.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

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

6. Since there is a specific allegation against the petitioner of assaulting with Dabiya on the head of the informant, I am not inclined to grant bail to the petitioner.

7. Accordingly, the bail application of the petitioner is hereby rejected.

8. However, the trial Court is directed to take all



endeavour to conclude the trial positively within a period of
nine months from the date of receipt/production of a copy of
this order.

(Khatim Reza, J)

Sankalp/-

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