

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71188 of 2024

Arising Out of PS. Case No.-599 Year-2024 Thana- MADHEPURA District- Madhepura

Chhotu kumar S/o- Gohal Yadav Village- Rasalpur Ps- Sonbarsa Dist- Saharsa, A/p- Sripur Ps- Madhepura Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s	:	Ms. Pushpa Sinha.1, APP
For the Informant	:	Mr. Vijay Kumar. Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 21-11-2024 Heard learned counsel for the petitioner and learned APP for the State as also learned counsel for the Informant. Perused the case diary.

2. The petitioner seeks bail in connection with Madhepura P.S. Case No. 599 of 2024 instituted for the offence under Sections 341, 323, 307, 324 & 34 of the Indian Penal Code.

3. As per the prosecution case, allegation against the petitioner and other accused persons is that they variously armed came and asked the informant not to fill soil over the land. When the informant protested, petitioner assaulted the brother of the informant with spade causing injury on his head.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 22-06-2024. Petitioner is a man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel submits that parties are agnates and there is subsisting land dispute between the parties. It is alleged that petitioner has assaulted the brother of the informant and the injury is alleged to be grievous in nature. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State and learned counsel for the Informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that injured himself has supported the prosecution case, which fact finds mention at paragraph No. 77 of the case diary and in addition, injury report also corroborates the allegation levelled against the petitioner in the FIR.

7. Considering the aforesaid facts and circumstances of the case, taking into account the fact that there is direct allegation of assaulting the brother of the informant by means of spade, which fact is corroborated with the injury report, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer is accordingly *rejected*.



8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj kishore/-

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