

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85373 of 2023

Arising Out of PS. Case No.-211 Year-2023 Thana- PATLIPUTRA District- Patna

Sunny Kumar Son of Surendra Mahto @@ Surendra Prasad Resident of
Gosai Tola, Chandsi Dawakhana ke pas, P.S.-Patliputra, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Sahay, Advocate

For the State : Mr. Dr.Mrityunjaya Kr.Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-05-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Patliputra P.S. Case No. 211 of 2023 instituted for the offence
under Sections 341, 323, 307 & 302 of the Indian Penal Code.

3. Prosecution case in short is that when the police
party were on patrolling duty, they saw that the petitioner is
beating one person and was trying to put him into tempo.
Thereafter, the injured person was taken to PMCH, Patna.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 10-03-2023. Petitioner
bears four criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that there is no independent witness to the occurrence. It is submitted that police has forcibly obtained signature of the petitioner on a plain paper, which was used as a seizure memo. It is next submitted that petitioner has been implicated in this case due to village politics.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that driving license of the deceased was recovered from the possession of the petitioner, which fact finds mention in paragraph Nos. 2 & 3 of the case diary.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the petitioner and nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for grant of bail to the petitioner is **rejected**.

9. The Trial Court is directed to conclude the trial within a period of six months from the date of receipt/production of a copy of this order.

10. However, petitioner will be at liberty to renew



his prayer for bail before the court below if the trial is not concluded within a period of six months and the court below shall consider the same without being prejudiced to this order.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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