

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34038 of 2015

Arising Out of PS.Case No. -61 Year- 2012 Thana -RUDRAPUR District- MADHUBANI

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KAFIL NAMAJI @ RAHMAT KAFIL @ WAKIL @ KAFIL NEYAZI
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Anita Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 29-07-2015 Heard both sides.

The petitioner seeks bail in connection with Rudrapur P.S. Case No. 61 of 2012 registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected vide order dated 23.12.2014 passed in Cr. Misc. No. 31887 of 2014.

The informant named many persons including the petitioner and alleged that the petitioner, Kafil Namaji @ Rahmat Kafil @ Wakil assaulted the deceased (Tausif) with iron rod on the head but when he fell down Md. Akil assaulted with iron rod on the head but the doctor found only one injury.

It is submitted that Akil has already been granted bail although he is alleged to have assaulted with iron rod on the head

of the Md. Tausif. The petitioner is in jail custody since 09.05.2014 and he has no criminal antecedent but from the record, it appears that the petitioner Kafil Namaji @ Rahmat Kafil @ Wakil is alleged to have assaulted with iron rod on the head of Tausif, thereafter, Akil alleged to have assaulted but one injury was found in the post mortem report. Therefore, prayer for bail of the petitioner was earlier rejected.

I do not find any fresh ground for grant anticipatory bail. Accordingly, anticipatory bail of the petitioner is rejected.

However, the Trial Court is directed to expedite the trial and conclude the same within a period of nine months from the date of receipt of this order. If the trial is not concluded nine months, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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