

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21385 of 2016

Arising out of PS.Case No. -311 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

Awadhesh Sah, S/o Late Bharat Sah, R/o - Village Shahbajpur, P.S.-
Hathauri, District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Manoj, Advocate.

For the Opposite Party : Mr. Zainul Abedin (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-06-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 01.05.2015
in connection with Sessions Trial No. 560 of 2015, arising out of
Ahiyapur P.S. Case No. 311 of 2015 for the offences instituted
under Sections 394, 302, 120(B) of the IPC and 27 of the Arms
Act.

The prosecution story, in brief, is that on 10.04.2015, the
informant has given gold ornaments of Rs. 4,50,000/- to accused
Javed Anwar and who assured him to pay on 12.04.2015 but he
did not return and for paying on 12.04.2015 the informant met
with Javed Anwar, he started to pay said rupees on 13.04.2015, at
about 8.00 P.M. at night at his residence and on 13.04.2015 he

went to his house at about 8.00 P.M. alongwith his wife Ragini Devi, boarding upon a Motorcycle and paid him Rs. 4,50,000/- containing in a bag and he gave said bag to his wife Ragini Devi and Javed Anwar accused has stated to go to N.H. 57, four lane through Sangam Bridge, S.K.M.C.H., In the town, due to traffic problem the informant proceeded to his house alongwith his wife and all of a sudden, two miscreants overtook his motorcycle and thereafter when he objected, they stated about their identification and his wife identified them and they fired upon his wife, two times and snatched bag of rupees from her hand and he had hidden himself at bushes and stated that Javed Anwar has committed murder of his wife, Ragini Devi, in conspiracy with other miscreants to grab his money.

The earlier bail application of the petitioner was rejected vide Cr. Misc. No. 39467 of 2015 dated 12.10.2015.

This is the second attempt on behalf of the petitioner for grant of bail.

A report regarding the stage of the case was called for from the trial court. The same is at Flag-A. From perusal of the said report, it appears that all the prosecution witnesses have already been examined except for the doctor.

It has been submitted on behalf of the petitioner that the

doctor has also been examined on 03.06.2016.

Since the case is at the concluding stage, I am not inclined to grant bail to the petitioner. The same is rejected in Ahiyapur P.S. Case No. 311/2015, Sessions Trial No. 560 of 2015, pending in the court of the learned Ist Additional Sessions Judge, Muzaffarpur.

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(Sudhir Singh, J)