

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 4986 of 2015

Arising Out of PS.Case No. -433 Year- 2008 Thana -SAKARI District- MADHUBANI

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Md. Ishlam @ Japani @ Ishlam Japani Son of Md. Kasim, resident of village -
Maksuda, P.S. Sakari, District – Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 12-04-2016

Heard learned counsel for the parties.

The petitioner seeks bail in Town Sakari P.S. Case
No. 433 of 2008 dated 20.08.2008 instituted under Sections
302/307/120B/34 of the Indian Penal Code and 27 of the Arms
Act.

This is the second attempt of the petitioner for bail
as earlier such prayer was rejected by order 10.07.2014 in Cr.
Misc. No. 110 of 2014.

As no subsequent development has been brought
to the notice of the Court to justify the petitioner for his release
and taking into consideration the fact that he is the person who is
alleged to have fired on the deceased being his full brother, the
Court is not inclined to enlarge the petitioner on bail. Accordingly,
the application stands dismissed.

However, considering the fact that the petitioner is
in custody since 01.07.2013, the Court below is directed to

expedite the trial and conclude it positively within nine months.

The Superintendent of Police, Madhubani is directed to ensure that prosecution witnesses are produced before the Court on the dates fixed by the Court.

Registry shall communicate the order of the Court below as well as the Superintendent of Police, Madhubani by Fax also latest by tomorrow.

Learned counsel for the informant who is present, assures that the witnesses from his side shall also be produced on the dates fixed in the trial.

(Ahsanuddin Amanullah, J.)

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