

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20243 of 2017

Arising Out of PS.Case No. -93 Year- 2011 Thana -KAHALGAON District- BHAGALPUR

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Mir Makbul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh

For the Opposite Party/s : Mr. Sri Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
TRIVEDI
ORAL ORDER

2 26-04-2017 Heard learned counsel for the petitioner as well as
learned A.P.P.

On behalf of the petitioner it submitted that vide order dated 19.08.2014 passed in Cr. Misc. No.19791 of 2014 the prayer for bail of the petitioner was rejected giving following liberty to the petitioner:-

“ However, petitioner if so advised may renew his prayer, in case, the order dated 14.03.2014 is set aside by a Competent Court.”

In spite of the fact that the order dated 14.03.2014, which has neither been challenged nor has been set aside, even then instant petition has been filed on the ground that seven charge sheeted witnesses have been examined who did not support the case of the prosecution. Further more, the petitioner is in



custody since 26.11.2013.

Learned A.P.P. opposed the prayer of bail and submitted that the nature of allegation where under the deceased (Bibi Sajni) was done to death at her house (Naihar) while she was staying at her Naihar by the petitioner, her father who initially lodged a case against her Sasuralwala, had in depth been considered while rejecting the prayer.

That being so, I do not see any cogent reason for reconsideration of prayer for bail of the petitioner. The application is, accordingly, dismissed.

Learned lower court i.e. learned Additional Sessions Judge, VIth, Bhagalpur is directed to expedite trial of Sessions Trial No. 845 of 2014 arising out of Kahalgaon (Shiv Narayanpur) P.S.Case No. 93 of 2011 and will make endeavour to conclude the same at the earliest.

(Aditya Kumar Trivedi, J)

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