

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51339 of 2017

Arising Out of PS.Case No. -386 Year- 2015 Thana -BARH District- PATNA

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Md. Amjad @ Md. Amjad Imam @ Md. Amjad Mian, Son of Late Md. Safique @ Bade Mian, R/o Village- Masud Bigha, Postal Park, P.S.- Barh in the District of Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 08-11-2017 Heard learned counsel for the petitioner and the learned counsel representing the State.

The petitioner wants to renew the prayer of bail which was earlier rejected vide order dated 13.07.2016 passed in Cri. Misc. No. 22537 of 2016, on the ground that the petitioner is suffering in custody since 07.09.2015 having no criminal antecedent. There is no specific allegation against the petitioner, no motive has been assigned. During trial two witnesses have been examined and both witnesses have not specifically stated the name of the petitioner. One of co-accused Md. Kalim @ Kalima has been allowed bail vide Cr. Misc. No. 3726 of 2017 by order dated 15.03.2017 and, as such, the petitioner deserves sympathetic consideration.



The learned A.P.P. submits that the case of the petitioner is different to that of the case of Md. Kalim @ Kalima as during investigation his name has not come as assailant whereas the name of the petitioner has come.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer of the bail, again prayer of the bail of the petitioner stands rejected.

However, the learned trial Court is directed to expedite the trial and conclude the same preferably within six months, from date of receipt/production of a copy of this order, failing which if the petitioner at no fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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