

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16331 of 2018

Arising Out of PS. Case No.-367 Year-2015 Thana- KADAMKUAN District- Patna

Md. Alauddin Ansari, Son of Md. Nejam Ansari @ Md. Nizam Ansari,
Resident of Harnaha Tola, Laxmi Cold Store, Lodi Katra, P.S.- Chowk,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

5 22-06-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection with Sessions Trial No. 366 of 2017, arising out of Kadam Kuan P.S.Case No. 367 of 2015 registered under Sections 302, 120B/34 of the Indian penal Code and 27 of the Arms Act.

Allegation in brief is that informant's brother while coming back to his house, was intercepted by miscreants and shot dead due to political rivalry during election of Ward Counselor in Patna Municipality.

Submission is that there is specific accusation against accused persons named in the FIR but the petitioner is not named and many accused persons, named in the FIR, have been admitted to bail by the co-ordinate Benches of this Court though the petitioner bears no criminal antecedent and is in custody



since 19.08.2015.

Learned counsel appearing on behalf of the informant submits that entire incident was captured in the CCTV installed at the place of occurrence from before and three assailants were identified after getting the CCTV footage namely this petitioner, one Md. Anjum Ekbal, Md. Eftekhar Khan @ Raja, so the evidencde of killing the deceased is against three persons including the petitioner. Learned counsel further submits that bail of the above named two other similarly situated co-accused persons was rejected by co-ordinate Benches of this Court vide Cr. Misc. No. 31893 of 2016 and Cr. Misc. No. 5791 of 2017, so the case of the petitioner stands on different footing to others, who had granted bail by the Hon'ble Court.

Having considered the aforesaid facts, circumstances and nature of evidence against the petitioner collected during investigation, the prayer of bail of the petitioner is rejected. However, petitioner is in custody for a longer period, therefore, trial court is directed to expedite the trial and conclude the same preferably within one and half year.

(Arun Kumar, J)

sujit/-

U		T	
---	--	---	--

