

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20727 of 2018

Arising Out of PS.Case No. -771 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Sheikh @ S.k Safi Ahmad, S/o Late Sheikh Asarali, R/o Village-
Jaishingpur Tola Retwa, P.S.- Turkauliya, District- East Champaran
(Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Birendra Kumar, Advocate.

For the State : Mr. Anil Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
12.02.2016 in connection with Turkauliya P.S. Case No. 771 of
2015 registered for the offence under Sections 147, 148, 149, 341,
323, 307, 324, 302, 120(B) of the IPC and 27 of the Arms Act.

The prosecution case, in brief, is that due to land
dispute, a free fight had taken place between the parties, in which
the deceased was assaulted on the back of the head by three
persons including the petitioner.

Earlier the bail application of the petitioner was
rejected on 05.08.2016 vide Cr. Misc. No. 23941 of 2016 and on
22.03.2017 vide Cr. Misc. No. 8344 of 2017 taking into account
that the petitioner was one of the assailants.



A report was called for from the court below regarding the stage of the case. It has been reported by the court below that only doctor is to be examined on behalf of the prosecution and trial is expected to be concluded within three months from the date of receipt/production of copy of this order.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Turkauliya P.S. Case No. 771 of 2015, Sessions Trial No. 862 of 2016, pending in the court of learned Sessions Judge, Motihari.

The court below is directed to take all necessary steps to conclude the trial within three months.

The Civil Surgeon, Motihari, District Magistrate, Motihari and the Superintendent of Police, Motihari, are directed to ensure that the remaining prosecution witnesses are produced in the court below on the date fixed so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the Civil Surgeon, Motihari, District Magistrate, Motihari and the Superintendent of Police, Motihari.

(Sudhir Singh, J)

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