

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64486 of 2018

Arising Out of PS. Case No.-34 Year-2018 Thana- AMDABAD District- Katihar

Md. Ishaque, S/o Late Abdul Rauf, resident of village- Baluwa, P.S. Amdabad, District Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agarwal, Sr. Advocate Mr. Bipin Kumar, Advocate
For the Informant	:	Mr. Surendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7/ 19-12-2018

Heard learned counsel for the petitioner, as well as learned counsel for the Informant and learned APP for the State.

Petitioner seeks bail in **Amdabad P.S. Case No. 34 of 2018** instituted for the offence under Section(s) 341, 323, 324, 325, 307, 504/34 Indian Penal Code and later on Section 302 Indian Penal Code is added.

It is alleged in *fard-e-beyan* that on the date of occurrence this petitioner with other accused persons surrounded the informant and his uncle and on the order of Mohammad Rashid, Nazrul @ Bhola assaulted the informant with sword on his head causing serious injury. Thereafter, Mohammad Ishaque (petitioner) assaulted the informant with iron rod on his left leg causing fracture injury. It is further alleged that Md. Maneer and Md. Hakim assaulted the uncle of



the informant, Maniruddin, with sword causing serious injury. Thereafter, Md. Shamir, Md. Shafique and Allauddin also assaulted the uncle of the informant with iron rod in his leg causing fracture injury. The uncle of the informant subsequently died during course of treatment.

Counsel for the petitioner has submitted that in the instant case charge has been framed.

Case diary has been received. Learned APP has submitted that doctor has found compound fracture of left tibia and fibula and also one sharp cut injury over skull, which was bone deep. Both the injuries were grievous in nature.

In such circumstances, this Court is not inclined to enlarge the petitioner on bail at this stage.

Prayer of the petitioner for grant of bail is **rejected**.

The Trial Court is directed to expedite the trial and make all efforts to conclude the same as early as possible preferably within a period of six months from the date of receipt/production of a copy of this order.

Liberty is given to the petitioner to renew his prayer after six months if no substantive progress is made in the trial.

(Sanjay Priya, J)

J. Alam/-

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