

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40966 of 2018

Arising Out of PS.Case No. -53 Year- 2017 Thana -KANTITHARMAL POWER District-
MUZAFFARPUR

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1. MD. IRSHAD @ MD. IRSHAD ALAM @ IRSHAD ALAM S/o
Shakoor @ Muli Sakoor, R/o Vill.- Damodarpur, P.S.- Kanti, District-
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Satya Nand Shukla

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

03 01-08-2018

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks bail in Kanti P.S. Case No.53 of
2017 under Sections 147, 148, 149, 341, 342, 323, 324, 307, 302
and 120 (b) of the Indian Penal Code.

Petitioner along with other accused persons are said
to have stabbed to death son of the informant, namely, Md.
Firdaus and also stabbed his another son, Afroz.

It is submitted by learned counsel for the petitioner
that the allegation levelled against the petitioner is not specific
rather general and omnibus in nature. The injured has named the
petitioner as the main assailant with ulterior motive and as



afterthought. The petitioner has no criminal antecedent and has been languishing in custody since 18.03.2017.

On the other hand, learned A.P.P. vehemently opposing the prayer for bail submitted that the injured Afroz had specifically stated that the petitioner has stabbed his brother and also stabbed him. Other witnesses also stated that the petitioner has stabbed the deceased and the victim by means of dagger. Earlier the prayer for bail of the petitioner was rejected on 12.12.2017 by this Court.

In the facts and circumstances of the case, the prayer for bail is again rejected. However, the learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within a period of six months from the date of receipt/production of a copy of this order. The Superintendent of Police, Muzaffarpur is also directed to produce the witnesses in the Court on each and every date fixed in the case without fail.

(Prakash Chandra Jaiswal, J)

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