

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34141 of 2019

Arising Out of PS. Case No.-133 Year-2016 Thana- BENIPATTI District- Madhubani

MD. SHAMIM AKHTAR @ MD. SHAMIM Son of Md. Sahir Aajad
Resident of Village - Paigambarpur, P.S.- Kewati, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 28-08-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Benipatti P.S. case no.
133 of 2016 instituted for the offence under Section(s) 364,
379/34 of the Indian Penal Code. Later on Sections 302 and
201 of the IPC was added.

Earlier the prayer for bail of the petitioner was twice
rejected by this Court vide orders dated 9.3.2017 and 4.4.2018
passed in Cr. Misc. nos. 3752 of 2017 and 60817 of 2017 with
direction to trial Court to expedite the trial and make effort to
conclude the same within a period of ten months from the date of
receipt of copy of this order.

Liberty was also granted to the petitioner to renew his
prayer for bail in the Court below itself in the event trial is not



concluded within the aforesaid period, which shall be considered and disposed off in accordance with law.

The petitioner has not moved the trial Court in compliance of the direction of this Court.

In such view of the matter, the bail application is disposed of with direction to the petitioner to move the Trial Court in compliance of the order dated 4.4.2018 passed by this Court in Cr. Misc no. 60817 of 2017 which shall be considered and disposed off by the court below on its own merit after hearing the submission of the parties without being prejudiced by the earlier order passed by this Court.

(Sanjay Priya, J)

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