

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25588 of 2019

Arising Out of PS. Case No.-168 Year-2018 Thana- KHAIRA District- Saran

REYAJUDDIN @ RAJU Son of Md. Miyan, Resident of Village- Banni,
Police Station- Khaira (Nagra), District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satya Prakash, Advocate
For the informant	:	Mr. Anis Akhtar, Advocate.
For the State	:	Mr. Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 10-07-2019 Heard learned counsel for the petitioner, counsel
for the informant and the State.

The petitioner seeks bail in **Khaira P.S. Case No. 168 of 2018 (Sessions Trial No. 11 of 2019)**, instituted for the offence under Section(s) 302/34 of Indian Penal Code pending in the court of 5th Additional District Judge, Saran at Chapra.

It is alleged in the written report that on the date of occurrence the dispute arose for breaking the branch of guava tree situated near the house of petitioner. The petitioner and his father were abusing the informant. The father-in-law of the informant made protest that some children had broken the branch of guava tree and returned home. Thereafter, petitioner along with three other persons came near the house of the



informant and again started abusing. The husband of the informant reached there and made protest. It is further alleged that co-accused Jamaluddin caught hold the husband of the informant and petitioner along with co-accused Naushad inflicted knife blow in *Panjra* of husband of the informant, on account of which, he sustained bleeding injury and fell down on the ground. Subsequently, he died in the hospital during course of treatment.

Case diary has been received.

Post mortem report is available in the case diary wherein the Doctor has found injury caused by sharp pointed object in the lower chest of the deceased. The Doctor has opined the cause of death due to cardio respiratory failure on account of haemorrhage and shock. All the witnesses in different paragraphs of the case diary have supported the allegation against the petitioner.

Counsel for the informant has appeared and submitted that trial is in progress. All private witnesses have been examined. Only I.O. and Doctor are to be examined.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer of the petitioner for grant of bail stands



rejected.

Counsel for the petitioner submits that petitioner is in custody since 29.6.2018. The trial court is directed to make efforts to conclude the trial as early as possible preferably within a period of six months from the date of receipt of this order by giving short adjournment.

(Sanjay Priya, J)

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