

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40172 of 2019

Arising Out of PS. Case No.-566 Year-2018 Thana- BIHARSHARIF District- Nalanda

MD. ASLAM, Son of Md. Haidar Ali @ Nanhu @ Nandu, Resident of
Mohalla - Chhaju Chandani Tola, P.S.- Bihar Sharif, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

For the Informant : Mr. Shashi Bhushan Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 02-09-2019

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Informant.

Petitioner seeks bail in **S. Tr. No.251 of 2019 arising out of Bihar P.S. Case No.566 of 2018** instituted for the offence under Section(s) 302 and other allied sections of Indian Penal Code pending in the Court of the **2nd Additional Sessions Judge, Nalanda at Biharsarif.**

In the written report, it is alleged that while brother of the informant was coming on motorcycle and stopped his motorcycle near the gate of Md. Haider Ali. Son of Haider Ali came out from the house and used abusive language and started scuffle with brother of the informant. This petitioner gave iron rod blow on the head due to which informant's brother sustained head injury and fell down on the ground. He was admitted in private hospital in ICU in unconscious condition.



Counsel for the petitioner submits that petitioner has been implicated due to political rivalry.

Counsel for the informant submits that trial has proceeded and two witnesses have also been examined.

Case diary has been received.

Learned APP has submitted that the doctor in postmortem has found cause of death due to head injury. All the witnesses have supported the case and levelled specific allegation against the petitioner.

Therefore, this Court is not inclined to enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is **rejected at this stage.**

Since trial has started and two witnesses have been examined, the trial Court is directed to expedite the trial and make efforts to conclude the same as early as possible, preferably, within a period of six months from the date of receipt of a copy of this order.

Liberty is given to the petitioner to renew his prayer for bail after six months, in the event trial is not concluded within aforesaid period.

(Sanjay Priya, J)

J. Alam/-

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