

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.71981 of 2018**

Arising Out of PS. Case No.-304 Year-2017 Thana- PIRO District- Bhojpur

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Naga Khurshid @ Khurshid Sheikh @ Khalid, Son of Late Samshu Sheikh,  
Resident of Village- Piro, Ward No.13, P.S.- Piro, District- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rama Kant Singh

For the Opposite Party/s : Mr.Sri Abhay Kumar - 1

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

4      24-01-2019                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

The petitioner is languishing in custody since  
14.11.2017 in connection with Piro P.S. Case No.304 of 2017  
registered for the offences punishable under Sections 302, 201  
and 34 of the Indian Penal Code.

Prosecution case as per the ferdbeyan of Md. Vaijul  
Khan recorded by S.I. Piro P.S. is to the effect that on  
03.11.2013 at about 7 A.M., the son-in-law of the informant,  
Naga Khurshid, the petitioner and co-accused Babloo Sheikh  
took the son of the informant namely, Md. Nurain Khan to  
bamboo orchard where co-accused Wahi Khan Kadwari Khan  
and Tanwir Khan were preesent from before. There they had a  
hot exchange with the son of the informant, whereupon, the



petitioner gave a blow by a sword on the neck of son of the informant and thereafter, co-accused Babloo Singh took the sword from the petitioner and he also gave a blow on her neck, as a rescue, the neck got completely cut and detached from the body and ultimately, the son of the informant died.

It is submitted by learned counsel for the petitioner that due to some earlier personal dispute, the accusation has been levelled. As per the FIR, the informant is not the eye witness to the occurrence and the victim was having a criminal antecedent. It is further submitted that no motive behind the alleged occurrence has been given in the F.I.R.

Learned APP however, submits that the accusation is levelled against the petitioner which is being corroborated with the medical opinion.

Considering the nature of accusation, this Court is not inclined to grant bail to the petitioner. Let the trial Court expedite the trial arising out of Piro P.S. Case No.304 of 2017 and the petitioner would be at liberty to renew his prayer for bail if the trial is not concluded within a year.

**(Dinesh Kumar Singh, J)**

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