

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45697 of 2019

Arising Out of PS. Case No.-34 Year-2018 Thana- AMDABAD District- Katihar

MD. ISHAQUE Son of Late Abdul Rauf Resident of Village - Baluwa, P.S.-
Amdabad, District - Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 28-08-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Amdabad P.S. Case No.
34/2018, instituted for offence under Section(s) 341, 323, 324, 325,
307, 504 and 34 of the Indian Penal Code. Later on Section 302 of
the Indian Penal Code was also added.

Earlier prayer for bail of petitioner was rejected by this
Court vide order dated 19.12.2018 passed in Cr. Misc. No.
64486/2018 with liberty to renew prayer for bail after six months if
no substantive progress is made in trial.

It is alleged in the *Fardbeyan* that on the date of
occurrence this petitioner with other accused persons surrounded the
informant and his uncle and on the order of Mohammad Rashid,
Nazrul @ Bhola assaulted the informant with sword on his head
causing serious injury. Thereafter, Mohammad Ishaque (petitioner)
assaulted the informant with iron rod on his left leg causing fracture



injury. It is further alleged that Md. Maneer and Md. Hakim assaulted the uncle of informant, Maniruddin, with sword causing serious injury. Thereafter, Md. Shamir, Md. Shafique and Allauddin also assaulted the uncle of informant with iron rod in his leg causing fracture injury. The uncle of informant subsequently died during course of treatment.

Report from the court below about stage of trial has been received wherein it is mentioned that out of 12 witnesses, 11 witnesses have already been examined. Now prosecution evidence has been closed. Case is pending for statement of accused under Section 313 Cr.P.C.

Since trial is at concluding stage, this Court is not inclined to grant bail to petitioner. Prayer for bail of petitioner is again rejected.

The trial court is directed to expedite the trial and make efforts to conclude the same within a period of three months from the date of receipt/production of copy of this order.

Petitioner is given liberty to renew prayer for bail in the event trial is not concluded within aforesaid period.

(Sanjay Priya, J)

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