

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22921 of 2020

Arising Out of PS. Case No.-109 Year-2019 Thana- POTHIA District- Kishanganj

MD. ISRAIL @ LAL BANO @ LAL BABU Son of Late Yaqub Resident of
Village-Kharabari Udgara, P.S.-Pothia, District-Kishanganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Bisheshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 10-11-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Pothia
P.S. Case No. 109 of 2019 giving rise to Session Trial No. 157
of 2019 for the offence under Sections 341, 323, 302,
307/34 of the Indian Penal Code.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, earlier
the prayer for bail of this petitioner had been rejected by a
co-ordinate Bench of this Court vide order dated 12.12.2019
passed in Cr. Misc. No. 76000 of 2019. Again the prayer for
bail has been filed on the ground of custody as well as the



status of pending trial. The petitioner is rotting in judicial custody since 12.08.2019.

Learned A.P.P. for the State has opposed the prayer for bail and submitted that earlier the prayer for bail of this petitioner has been refused considering the merit of the case and now no fresh ground is made out to entertain this second prayer of the petitioner. Moreover, the witnesses are being examined in the trial and the trial will be concluded soon which is evident from the report received from the learned Addl. District and Sessions Judge-2nd , Kishanganj at Flag-X.

Considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of this petitioner is rejected.

(Arvind Srivastava, J)

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