

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21854 of 2020**

Arising Out of PS. Case No.-167 Year-2019 Thana- PARIHAR District- Sitamarhi

MD. IRFAN Son of Md. Sabir Resident of Village- Sutihara, P.S.- Parihar,  
District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      04-09-2020                      Due to COVID-19 Pandemic, the matter is being  
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For  
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in Parihar P.S. Case No.  
167/2019 instituted for the offences under Sections 341, 323,  
324, 504, 506, 307, 354, 302, 109, 34 of the Indian Penal Code.

The prosecution case in short is that the accused  
persons attacked on the brothers of the informant while they  
were returning home due to which brother of the informed  
sustained injury and later succumbed to the injury.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 16.01.2020 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner is named in the F.I.R. along with 20 other persons. A free fight is alleged to have taken place. The petitioner along with others are said to have assaulted the deceased.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R. There is specific allegation against the petitioner of giving *farsa* blow on the head of the deceased. The post-mortem report corroborates the allegation as made in the F.I.R.

Considering the nature of allegation, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take all necessary steps to conclude the trial preferably within nine months from the date of receipt/production of a copy of this order.

**(Sudhir Singh, J)**

Pankaj/-

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