

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26363 of 2020

Arising Out of PS. Case No.-69 Year-2018 Thana- BISFI District- Madhubani

MD. MAQSOOD ALAM @ MAQSOOD ALAM Son of Late Md. Manzar
Alam Resident of Village- Osara, Police Station- Bifsi (Patauna), District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zainul Abedin

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-10-2020

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

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

The present petition is by way of second attempt at the behest of the petitioner for grant of bail, inasmuch as the earlier bail petition of the petitioner seeking bail in connection Bisfi (Patauna) PS case no. 69 of 2018 under Sections 302, 201/34 of Indian Penal Code had been rejected by a co-ordinate Bench of this Court vide order dated 27.02.2019, passed in Cr. Misc. no. 75952 of 2018.

The prosecution story as per the informant is that



her *Nanad* was married with the petitioner about 20 years back according to Muslim rites. She had no child at present. She had earlier two sons and one daughter born out of the wedlock but they had died due to illness. Thereafter, the petitioner performed another marriage and started torturing the *Nanad* (Sister-in-law) of the informant. He tried to oust her from his life. Panchayati was held but the petitioner did not become ready to compromise and always abused and assaulted the *Nanad* of the informant. It is further alleged that on 07.04.2018 at 4 am, informant heard that her *Nanad* had been murdered and her dead body had been taken for cremation by the petitioner and his other family members. The informant along with her husband and son had then reached the in-laws' place of the deceased, where the petitioner had threatened them and had then fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent and though the petitioner is languishing in custody since 26.05.2018, there is no likelihood of conclusion of the trial in near future, hence the petitioner has approached this Court on account of the liberty granted earlier by a co-ordinate Bench of this Court vide order dated 27.02.2019.



Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that there is no change in circumstance from the day, the prayer of the petitioner for grant of bail was rejected by a co-ordinate Bench of this Court vide order dated 27.02.2019, till date, I do not find any reason to re-consider the prayer of the petitioner for grant of bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

