

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15149 of 2021**

Arising Out of PS. Case No.-264 Year-2016 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

MD. SHAMSHAD @ ANWA@Auwa Son of Late Yusuf Mian Resident of
Village - Pankaj Market Saraiyaganj, P.S.- Muzaffarpur, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Choudhary, Advocate
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

The petitioner seeks bail in connection with Sessions
Trial No.672 of 2016 arising out of Muzaffarpur Town P.S. case
No.264 of 2016 registered under Sections 302/34 of I.P.C. and
Section 27 of the Arms Act, pending in the court of 3rd
Additional Sessions Judge, Muzaffarpur.

The earlier bail applications of the petitioner were
rejected vide Annexure 1 series to the present application taking
into account that the witnesses in paragraph Nos.46 to 51 of the
case diary have made specific allegation that the petitioner has
fired upon the deceased, which led to his death. The postmortem
report also corroborated with the allegations made by the



witnesses as referred above.

A report was called for from the trial court. It has been reported that out of seventeen prosecution witnesses, thirteen prosecution witnesses have already been examined.

Considering the nature of accusation and the stage of the case, 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 a period of nine months from the date of receipt/production of a copy of this order.

The District Magistrate, Muzaffarpur and the Senior Superintendent of Police, Muzaffarpur are also directed to take necessary steps to produce the witnesses on the date fixed by the Trial Court so that the trial could be concluded within the stipulated period.

Let this order be communicated to the District Magistrate, Muzaffarpur and the Senior Superintendent of Police, Muzaffarpur.

(Sudhir Singh, J)

Narendra/-

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