

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16277 of 2021

Arising Out of PS. Case No.-532 Year-2018 Thana- BODHGAYA District- Gaya

FIROZ UDDIN @ FIROZ ALAM @ DILIP S/O NASIRUDDIN @ SAMO
KHAN R/O VILLAGE-KHAP, P.S-BODHGAYA (CHERKI), DISTRICT-
GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.K. Shahi, Sr. Adv.
For the State	:	Mr. Pranav Kumar, APP
For the Informant	:	Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 18-08-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with Bodh
Gaya (Cherki) P.S. Case No. 532 of 2018 registered under
Sections 302, 34 of the I.P.C. and 27 of the Arms Act pending in
the Court of C.J.M., Gaya.

Submission of learned counsel for the petitioner is
that earlier prayer of the petitioner for bail was rejected by this
Court vide Cr. Misc. No. 68037 of 2019 on 04.08.2020, as
detailed in Annexure-3 to the Supplementary Affidavit.
Petitioner is in custody since 28.03.2019.

Learned A.P.P. appearing on behalf of the State
opposed the prayer of the petitioner by contending that earlier



prayer of the petitioner for bail was rejected by this Court on merit. There is no fresh ground in the present case.

On perusal of report, as called for from the learned Additional District and Sessions Judge-III, Gaya, it appears that out of five chargesheeted witnesses, three witnesses have been examined by the prosecution. Remaining two witnesses including the Doctor and the Investigating Officer are yet to be examined. Summons have already been issued and next date has already been fixed for evidence of the Doctor and the Investigating Officer.

Having considered the above facts and circumstances of the case as also the report of the trial court, this Court is not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is again rejected.

However, Trial Court is directed to conclude the trial within a period of six months.

(Arvind Srivastava, J)

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