

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13307 of 2020

Arising Out of PS. Case No.-132 Year-2011 Thana- MAHISHI District- Saharsa

MD. JAMAL @ MD. JAMALUDDIN Son of Late Md. Boku Miya Resident
of Village- Jalai Punarwas, P.S.- Mahishi (Jalai O.P.), District- Saharsa
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 21-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in connection with CIS
No.6516/2015, G.R. No.2081/2011, arising out of Mahishi
(Jalai) P.S. Case No.132/11 registered for the offence punishable
under Section 302/379/34 of the Indian Penal Code and Section
27 of the Arms Act pending the Court of S.D.J.M., Saharsa.

This is the second attempt of petitioner to move
before this Court for grant of regular bail. Earlier, the prayer for
bail of the petitioner was rejected vide order dated 28.06.2019
passed in Cr. Misc. No.24834 of 2019.

Vide order dated 06.04.2021, a report was called for
from the Court of learned S.D.J.M., Saharsa regarding the stage



of the trial and the time likely to be taken in conclusion of the trial.

In compliance thereof, the learned S.D.J.M., Saharsa has sent the report dated 01.06.2021, which is at flag 'R'. Apart from other facts, it is stated in the report that the case record of Mahishi (Jalai O.P.) P.S. Case No.132 of 2011 shall be split up and the record concerning the custody accused, namely, the petitioner and others appeared accused shall be committed to the Court of Sessions positively on the next date fixed in this case i.e. on 08.06.2021 after supplying police papers.

After perusing the case record including the case diary, as the petitioner is the main assailant, I am not inclined to grant privilege of bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is once again rejected.

(Anjani Kumar Sharan, J)

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