

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37989 of 2020

Arising Out of PS. Case No.-133 Year-2016 Thana- BENIPATTI District- Madhubani

MD SHAMIM AKHTAR ALIAS MD SHAMIM Son of MD SAHIR AAJAD
Resident of Village - Paipambarpur, P.S.-Kewati, Distt.- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
	:	Mr. Anuj Kumar
For the Opposite Party/s	:	Ms. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-02-2021 Heard the learned counsel for the petitioner and

Ms. Anita Kumari Singh, the learned APP for the State.

The present petition is by way of fourth attempt at the behest of the petitioner for grant of bail in connection Benipatti PS case no. 133 of 2016 under Sections 302, 201, 364, 379/34 of Indian Penal Code, inasmuch as the earlier bail petitions filed by the petitioner for grant of bail have stood dismissed by a Co-ordinate Benches of this Court vide order dated 09.03.2017 passed in Cr. Misc. no. 3752 of 2017, the order dated 04.04.2018 passed in Cr. Misc. no. 60817 of 2017 and the order dated 25.02.2020 passed in Cr. Misc. no. 71291 of 2019.

The petitioner is stated to have burnt his wife to death. It is not necessary to go into the details of the case, inasmuch as the details have already been mentioned by the



predecessor Courts in the earlier orders passed in the case of the petitioner, as aforesaid, while rejecting the prayer of the petitioner for grant of bail and reasons have also been furnished therein.

The learned Senior counsel for the petitioner has submitted that the petitioner is languishing in custody since 22.10.2016 and the trial has not yet been completed, hence the petitioner should be granted the privilege of bail.

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 materials available on record as also considering the fact that there has been no change in the circumstances, from the day the prayer of the petitioner for grant of bail was rejected on earlier occasions, till date, I do not find any merit in the present petition, hence the same stands dismissed.

(Mohit Kumar Shah, J)

rinkee/-

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

