

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34375 of 2020

Arising Out of PS. Case No.-131 Year-2019 Thana- ROSERA District- Samastipur

Md. Rajjak Son of Md. Alauddin Resident of Village- Hiramia, P.S.- Rosera,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application has been filed by the petitioner
renewing his prayer for bail in connection with Rosera P.S. Case
No. 131 of 2019 registered under sections 302, 307 and 34 of
the Indian Penal Code.

As per allegation in the FIR, the petitioner is
stated to have given a *khanti* blow on the head of the husband of
the informant leading to his death.

It is submitted by learned counsel for the petitioner
that the earlier application for bail of the petitioner was rejected
vide order dated 18.3.2020 (Annexure-1) passed in
Cr.Misc.No.84771 of 2019. It is submitted that the petitioner
has been falsely implicated in the case because of pending land



dispute between the parties. He has no criminal antecedent and is in custody since 20.7.2019.

The application for bail is opposed by learned APP for the State.

By order dated 23.12.2020 a report with respect to the stage of trial had been called for and the same has been received. As per report contained in letter dated 12.1.2021 charges have been framed in the case on 19.12.2019 and two prosecution witnesses have been examined.

Having heard learned counsel for the parties and in the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail and as such the bail application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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