

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36606 of 2020

Arising Out of PS. Case No.-171 Year-2019 Thana- BAHADURGANJ District- Kishanganj

1. MD. AKALU @ AKALU SON OF LATE ATAUR RAHMAN RESIDENT OF BABHANTOLI, POLICE STATION - BAHADURGANJ, DISTRICT - KISHANGANJ
2. SARFARAZ @ SANFARAZ S/O MD. AKALU @ AKALU RESIDENT OF BABHANTOLI, POLICE STATION - BAHADURGANJ, DISTRICT - KISHANGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-01-2021 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The present petition is by way of a second attempt at the behest of the petitioners for grant of regular bail in connection with S.T. No. 160 of 2019 arising out of Bahadurganj P.S. Case No. 171 of 2019 for the offence registered under Sections 341, 323, 325, 307, 354, 379, 506/34 of the Indian Penal Code, Section 8 of the POCSO Act inasmuch as their earlier prayer for grant of bail was rejected by this Court vide order dated 12.12.2019 passed in Criminal Misc. No. 68903 of 2019.

The case of the prosecution in brief is that the father of the informant had gone to the market to buy materials for house of the informant and after he had returned back, the accused



persons including the petitioners had arrived there and had pressed the mouth of the father of the informant and had dragged him away from the house, whereupon they had attacked the father of the informant by *hasua* and had given *hasua* blows on various parts of the body of the father of the informant, resulting in his subsequent death.

The learned counsel for the petitioners has submitted that the petitioners are languishing in custody since 06.07.2019 and not even the charges have been framed.

Per contra, the learned counsel 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 petitioners and taking into account the fact that there is no change in circumstance from the day the prayer for bail of the petitioners, was rejected, till today and moreover the petitioners are alleged to have killed the father of the informant, I do not find any merit in the present petition, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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