

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2446 of 2021**

Arising Out of PS. Case No.-190 Year-2019 Thana- HUSSAINGANJ District- Siwan

FAROOKH MIAN Son of Late Muslim Miyan, Resident Of village - Piyaaur,
P. S. - M.H. Nagar, District – Siwan. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Tiwary, Adv.
For the State	:	Mr. B.N. Pandey, APP
For the Informant	:	Mr. Vijay Prakash Singh, Adv.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 22-01-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP.

Petitioner seeks bail in Hussainganj (M.H. Nagar)
P.S. Case No.190 of 2019 registered under Sections 147, 302,
506 of the IPC, under Section 27 of the Arms Act and under
Sections 3 and 4 of the Explosive Substance Act.

Learned counsel for the petitioner submits that the
prayer for bail of the petitioner was earlier rejected vide order
dated 04.03.2020 passed in Cr.Misc.No.63948 of 2019 but one
of the similarly situated accused Kausar Sai has been granted
bail vide order dated 29.05.2020 passed in Cr.Misc.No.77866 of
2019. Kausar Sai and the petitioner are alleged to have thrown
bombs causing injury on the leg of the deceased but it appears
that there was charring injury and leg of the deceased was



fractured. Besides firearm injury, the deceased got injuries on account of explosion of bomb.

Learned counsel for the informant submits that all witnesses could not be examined due to COVID-19. Now the Civil Court has started physical functioning. He undertakes to examine all witnesses within six months from the next date.

Taking into consideration the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within six months from the date of receipt of this order. If the trial is not concluded within six months, the petitioner may renew his prayer for bail.

The S.P., Siwan is directed to ensure the presence of the prosecution witnesses in the court so that the trial must be concluded within six months.

Let a copy of this order be sent to the trial court as well as the S.P., Siwan for information and needful.

(Prabhat Kumar Jha, J)

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