

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3694 of 2021**

Arising Out of PS. Case No.-8 Year-2017 Thana- KISHANGANJ District- Kishanganj

MD HASAN, S/O ABDUL BAHAB @ WAHAB ALI, R/O BOMABASTI,
GACHHPARA, P.S. AND DISTRICT-KISHANGANJ ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Diwakar Sinha, Adv.
For the Opposite Party : Mr. A.M.P. Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 17-02-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 12.01.2021, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with S. Tr. No. 126 of 2017 arising out of Kishanganj P.S. Case No. 08 of 2017, registered under Section 341, 323, 302, 120B/34 of the Indian Penal Code, pending in the Court of the Sessions Judge, Kishanganj.

The accusation is that five persons named in the first information report, including the petitioner, surrounded to Abid Ali, father of the informant, thereafter, Sirajul Haque and Quazimuddin caught hold to the father of the informant and



petitioner assaulted at the head of father of the informant through wooden log, as a result thereof, Abid Ali, father of the informant, fell down and died on the spot.

Submission is that prayer of bail of the petitioner was refused on 04.12.2019 vide Cr. Misc. No. 48229 of 2019, but, the petitioner is in custody since 15.10.2018.

Having regard to the facts and circumstances of the case and the nature of allegation, against the petitioner, I am not inclined to reconsider the prayer of bail of the petitioner for the present. The prayer for bail is **rejected**.

(Rajendra Kumar Mishra, J)

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