

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3207 of 2021

Arising Out of PS. Case No.-17 Year-2017 Thana- INDUSTRIAL District- Bhagalpur

1. BIBI SAHIDE W/O Md. Afroj Resident Of Village - Fatehpur, P. S. - Zero Mile, District - Bhagalpur.
2. MD AFROJ S/O Late Md. Devan Resident Of Village - Fatehpur, P. S. - Zero Mile, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandrasekhar Sharma

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-03-2021 Heard learned counsel for the petitioners and
learned APP for the State.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

So far the petitioner No.2 is concerned, his bail application was rejected by order dated 02.03.2020 vide Cr.Misc.No.10954 of 2020 by a co-ordinate Bench of this Court. Hence the case of petitioner No.2 Md. Afroj is not maintainable before for this Bench.

The counsel for the petitioners seeks permission to withdraw the application on behalf of petitioner No.2 with a



liberty to make a fresh bail application before the concerned Bench.

Permission is accorded.

The application filed on behalf of petitioner No.2 Md. Afroj is dismissed as withdrawn.

The petitioner No.1 seeks bail in Industrial Area P.S. case No.17 of 2017 registered under Sections 498(A), 307,120B/34 of the Indian Penal Code, pending in the court of A.D.J. 4th, Bhagalpur. Later on Section 304(B) of I.P.C. has been added.

The earlier bail application of the petitioner No.1 was rejected vide Annexure 1 to the present application taking into account that the F.I.R. is dying declaration of the deceased and the specific allegation has been made against the petitioner No.1 and other co-accused for putting fire upon the deceased.

A report was called for from the court below regarding the stage of trial. It has been reported that out of seven charge-sheeted witnesses, six witnesses have already been examined and the trial is likely to be concluded within a period of six months.

Considering the nature of accusation and the stage of the trial, I am not inclined to grant bail to the petitioner No.1.



The same is rejected.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

Narendra/-

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

