

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11316 of 2021

Arising Out of PS. Case No.-306 Year-2018 Thana- BISFI District- Madhubani

Abdul Rahim Nadaf Son of Anjar Nadaf @ Mohammad Anjar, Resident of Village - Dhankaul, Naya Tola, Ward No. -5, P.S. - Nanpur Rohua, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gopal Jha, Adv.
For the State	:	Mr.Mrityunjaya Kr. Gautam, APP
For the Informant	:	Mr. Arun Kumar Bhagat, Adv.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 16-08-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

Learned counsel for the petitioner, at the very outset, submits that due to inadvertent typographical error, the date of surrender of the petitioner has wrongly been mentioned as 14.11.2018 instead of 14.12.2018 in the bail application.



In view of such submission, let the date of petitioner's custody be read as 14.12.2018.

Heard learned counsel for the petitioner, learned A.P.P. and learned counsel for the informant.

The petitioner seeks bail in Bisfi P.S. Case No.306 of 2018 corresponding to G.R. No.922 of 2018 (S.T. No.144 of 2019), instituted for the offence under Sections 302 and 34 of the Indian Penal Code.

It is alleged that the informant's daughter has been killed at her own home by informant's son-in-law, who had taken her on the roof in the night and inflicted multiple stab injuries leading to her death.

Learned counsel for the petitioner submits that the prosecution case itself appears to be highly improbable that at his in-law's place, the petitioner entered the house and committed murder without anyone in the house knowing about his entry. The petitioner is in custody since 14.12.2018.

Learned A.P.P. has assisted the Court with reference to the case-diary. The attention of the Court has been drawn to the statements of the witnesses recorded in paragraph 10, 11, 12, 41, 44 as well as post-mortem report. Several stab injuries have been found on various vital parts of the victim. The neighbours



have stated about seeing the petitioner jumping from the roof of the informant's house after committing murder and fleeing away. They have also said that there were blood stains on his clothes when the petitioner was fleeing away.

Considering the rival submissions, this Court, for the present, is not inclined to allow the prayer for bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial without any undue delay or unnecessary adjournments.

(Madhuresh Prasad, J)

Harish/-

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

