

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17315 of 2022

Arising Out of PS. Case No.-117 Year-2020 Thana- AMAUR District- Purnia

MD. SABIR @ SHABIR @ MD. SABIR ALAM Son of Md. Sharif Resident
of Village - Bangra, P.S. - Amour, District - Purnia.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Ms. Nirmala Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-06-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under section 302 and other sections of the Indian Penal Code.

As per the prosecution case, the petitioner is said to have assaulted the wife of the informant with the *davia* while Md. Sarif is said to have assaulted the informant's wife with a bamboo stick.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is case and counter case between the parties. The contents of the postmortem report do not support the the allegations so far as the petitioner is concerned. Only one injury was found on the body of the deceased and the same is attributable to Md. Sarif



who has been enlarged on bail vide order contained in Annexure-5.

Heard learned A.P.P. for the State.

A report was called for from the learned trial Court. As per the contents of the report contained in letter dated 11.4.2022 of the 3rd Additional District and Sessions Judge, Purnea, two out of the six chargesheet witnesses have been examined on behalf of the prosecution.

Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner together with the progress in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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