

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49482 of 2021

Arising Out of PS. Case No.-387 Year-2018 Thana- ALAMGANJ District- Patna

Md. Firoz Son Of Md. Azizuddin Resident Of Gulzarbagh In Front Of
Polytechnic College Gali, P.S.- Alamganj, District- Patna, At Present
Resident Of Aga Jaan Lane, Gulzarbagh, P.S.- Alamganj, District- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Sinha

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 02-02-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with Alamganj
P. S. Case No.387 of 2018, instituted for the offences under
Section 304-B of the Indian Penal Code.

The learned counsel for the petitioner submits that
twice earlier, the bail application of this petitioner was rejected
vide Annexures-2 and 3. The learned counsel submits that by
order dated 22.06.2020 in Cr. Misc. No.9987 of 2020, the
petitioner was granted liberty to renew his prayer for bail in the
event if the trial is not concluded within a period of nine months
after restoration of normal Court functioning.

The learned counsel further submits that all the
witnesses have been examined, but I.O. has been examined in
part and the doctor was examined as PW-5, but has reserved his



opinion about the post mortem report in absence of F.S.L. The learned counsel further submits that the report of the F.S.L. now has been received and the evidence of the I.O. is over. So, from the side of the prosecution only doctor remains to be examined and thus, requires to be recalled as he reserved his opinion in absence of F.S.L. with regard to post mortem report.

The learned A.P.P. for the State opposes the bail application and submits that now the trial is nearly over and only the doctor remains to be examined. The prosecution now will definitely ensure that the doctor is recalled and the trial is concluded as expeditiously as possible.

For the present, the Court is not inclined to grant bail to the petitioner in view of the submissions made by the learned A.P.P. for the State, but grants liberty to the petitioner to renew his prayer for bail in the event, if the trial is not concluded within a period of three months from today.

Accordingly, the prayer for bail of the petitioner stands rejected.

(Satyavrat Verma, J)

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