

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67998 of 2022

Arising Out of PS. Case No.-26 Year-2021 Thana- KADWA District- Katihar

Md. Safik Alam @ Kalu S/o Musha Haque R/o- Kanta Dih, P.S.- Kadwa,
District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-12-2022 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302/120(B) of the Indian
Penal Code.

According to prosecution case, the informant's brother,
namely, Tajamul Haque was taken away by one Md. Safique
Alam @ Kaloo. When the brother of the informant did not
return to his house till evening, he started searching him and in
course of search, he found the dead body of his brother in the
maize field of his uncle.

Earlier the bail application of the petitioner was



rejected vide order dated 13.04.2022 passed in Cr. Misc. No. 37277 of 2021.

It appears from the impugned order dated 12.09.2022 that total eleven prosecution witnesses have been examined some of them have been declared hostile but others are supporting the prosecution story directly or indirectly. The informant of the case has not been examined as yet and the trial is not likely to take a long time.

The learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with S.T. No. 179 of 2021 arising out of Kadwa P.S. Case No. 26 of 2021 pending in the court of learned Additional District and Sessions Judge-V, Katihar.

Prayer is refused.

However, the learned Trial Court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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