

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.70430 of 2021**

Arising Out of PS. Case No.-286 Year-2019 Thana- TATARPUR District- Bhagalpur

Md. Jishan Ali @ Md. Zeshan Ali @ Md. Zishan Ali, S/O Md. Nezam, Resident Of- Din Mohammedpur Lane Near Masjid Narga Bazar, P.S.- Nathnagar, District- Bhagalpur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 16-02-2022 Learned counsel for the petitioner undertakes to remove the defects as pointed out by the Stamp Reporter within four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr. Arun Kumar Singh, learned APP for the State.

This is the second attempt of the petitioner to obtain bail in connection with Tatarpur P.S. Case No. 286 of 2019 registered for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act. The petitioner is in custody since 17.12.2019. He has four criminal antecedents.

Learned counsel for the petitioner submits that earlier the prayer for bail of the petitioner was rejected vide order dated



09.07.2021 in Cr. Misc. No. 3549 of 2021. It is submitted that the petitioner is in custody since 17.12.2019 and the trial is not progressing well.

Mr. Arun Kumar Singh, learned A.P.P. for the State has opposed the prayer for bail of the petitioner. It is submitted that the trial has already begun and the witnesses are being examined.

Having regard to the materials which have been noticed by this Court in its order dated 28.06.2021 passed in Cr. Misc. No. 2835 of 2021 and further that the trial in this case has already begun, the witnesses are being examined and release of the petitioner who has got criminal antecedents has got potential to threaten the witnesses in course of trial, this Court is not inclined to release the petitioner on bail.

Let the trial court proceed with the trial and conclude it as early as possible by giving shorter dates.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

