

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45711 of 2022

Arising Out of PS. Case No.-403 Year-2021 Thana- ROSERA District- Samastipur

TAUKIR AHAMAD SON OF NOOR AALAM @ NUR ALAM R/O
VILLAGE- UDAIPUR, P.S.- ROSERA, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

For the Informant : Mr. Binod Kumar Sinha, Adv.

Mr. Shishir Kumar Shishir, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 23-02-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 302 and 34 of the Indian
Penal Code.

According to prosecution case, the petitioner along
with other accused persons namely, Ram Babu Mahto and Asraf
Ali are said to have committed murder of the husband of the
informant.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the petitioner
has no concern the allegations as alleged in the F.I.R. The petitioner



is not named in the F.I.R. The name of the petitioner has been transpired during investigation.

The learned counsel for the informant as well as learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioner on the basis of the material available in the case diary and submits that during investigation, the complicity of the petitioner has come in the investigation. Vide order dated 06.02.2023, a report was called for with regard to the stage of trial. Report dated 08.02.2023 reveals that five of the prosecution witnesses have already been examined and the case is pending for the evidence of rest of the witnesses.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Rosera P.S. Case No. 403/2021, pending in the court of learned Additional Chief Judicial Magistrate-1st, Rosera, Samastipur.

Prayer is refused.

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

(Rajesh Kumar Verma, J)

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