

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51045 of 2023

Arising Out of PS. Case No.-11 Year-2016 Thana- C.B.I CASE District- Muzaffarpur

Azaharuddinbein @ Laddan Miya Son Of Late Md. Kundan Miya @ Late
Md. Kudrusu Miya @ Late Nasaruddin Beg Resident Of Ram Nagar, Ps-
Siwan Town, Dist- Siwan

... .. Petitioner/S

Versus

The Central Bureau Of Investigation Through Superintendent Of Police
C.B.I.S.C. Ii New Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Adv.
	:	Ms. Kanchan Kumari, Adv.
	:	Mr. Raju Kumar, Adv.
For the CBI	:	Mr. Sourendra Pandey, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 24-11-2023 Heard learned counsel for the petitioner and learned
counsel for the C.B.I..

2. Counsel for the petitioner submits that the bail application of the petitioner has earlier been rejected vide order dated 30.11.2022 passed in Cr. Misc. No.28466 of 2022.

3. Upon perusal of the order, it transpires to this Court that prior to the said rejection order, his bail application was rejected 5 times earlier and report has been called for. From the report of the trial court, it transpires to this Court that this case has been fixed for recording the statement of accused persons under Section 313 of the Cr.P.C. on 23rd November, 2023, but in the meantime, the accused persons have filed an application



under Section 311 of the Cr.P.C. that requested to recall 5 prosecution witnesses for their cross-examinations on various points. It has also come in the report that after time taken by defence to lead its evidence, this Court requires only about one month time to deliver its judgment.

4. Counsel for the C.B.I. submits that now delay is on the instance of accused petitioner's side whereas prosecution wants to conclude the trial at the earliest and there is no delay from the side of the prosecution.

5. In this view of the matter, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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