

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47324 of 2023

Arising Out of PS. Case No.-208 Year-2021 Thana- SINGHESHWAR District- Madhepura

Md. Alam Sah S/O Md. Bechan Sah @ Bechan Sah @ Md. Isfak Resident Of
Village- Lalpur, Ward No. 02, P.S.- Singheshwar, District- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jawed Gaffar Khan, Advocate
For the Opposite Party/s	:	Mr. Dr.Mrityunjaya Kr. Gautam, APP
For the Informant	:	Mr. Nafisuzzoha with Ms. Rabia Gulnaz, Advocates

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 302/34 of the Indian Penal Code.

3. The allegation against the petitioner along with others
is of brutally stabbing the knife upon the wife of the informant in
her stomach and the accused persons were cutting her neck leading
to her death.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that there is no any motive or
intention to kill the wife of the informant. There is general and
omnibus allegation against the petitioner. Petitioner is languishing
in judicial custody since 29.08.2021.



5. Learned APP for the State and learned counsel for the informant have opposed the application for bail and submitted that informant is the husband of the deceased and eye-witness of the alleged occurrence. They submitted that the informant has stated that this petitioner is the main accused of the alleged occurrence. They further submitted that the Postmortem report corroborates the prosecution case with regard to the cause of death. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. From the perusal of the trial Court report, it appears that the prosecution evidence is examining continuously and the five prosecution witnesses have already been examined.

8. The trial Court is directed to conclude the trial within a period of six months, failing which the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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