

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48961 of 2022

Arising Out of PS. Case No.-161 Year-2019 Thana- SALAKHUA District- Saharsa

MD ABBAS S/o Late Md.Najif Resident of Village- Gorgama, P.S.- Salkhua,
District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Salkhua
P.S. Case No. 161 of 2019 dated 04.07.2019 registered for the
offence under Sections 341, 447, 448, 323, 324, 307, 354(B), 504
and 34 of the Indian Penal Code.

The petitioner is alleged to have stabbed knife in the
stomach of brother of the informant due to which he sustained
injury.

Earlier the prayer for bail of this petitioner has twice
been rejected vide order dated 17.03.2019 and 25.08.2021
passed in Cr. Misc. No. 84776 of 2019 and Cr. Misc. No.21138 of
2019 by a co-ordinate Bench of this Court considering the case of
the petitioner on merit. This is the third occasion the petitioner



has renewed his prayer for bail before this Court.

While entertaining the third application of the petitioner seeking bail, a report with regard to present stage of the trial has been called for by this Court vide order dated 16.03.2023 which has been received and forms part of this application at Flag-R. On perusal thereof, it would reveal that altogether seven witnesses have been examined which shows that the trial has got substantial progress.

Learned counsel appearing for the petitioner referring to the aforesaid report submits that the trial of this case is not likely to be concluded in near future and the petitioner is languishing in judicial custody since 18.10.2019 i.e more than three years.

Considering the facts and circumstances of the case and the stage of the trial, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of this petitioner is rejected.

However, learned trial court is directed to expedite the trial and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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