

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51742 of 2023

Arising Out of PS. Case No.-259 Year-2016 Thana- CHHATAUNI District- East Champaran

Md. Isha Sah @ Isha Sah Son Of Abdul Tahir Resident Of Village - Bara
Baryarpur, P.S. - Chhautni, District - East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 09.11.2016, in connection with Sessions Trial No. 479 of 2017 arising out of Chhatauni P.S. Case No. 259 of 2016, F.I.R. dated 04.11.2016 registered for the offences punishable under Sections 341, 307 of the Indian Penal Code and later on Section 304 of the Indian Penal Code and Section 27 of the Arms Act was added.

3. Allegation against the petitioner is that he had given knife blow in the stomach of the informant due to which he has sustained grievous injury and later on he died.

4. Earlier the bail petition of the petitioner was rejected twice vide order dated 19.04.2017 passed in Cr. Misc.



No. 13067 of 2017 and vide order dated 31.01.2018 passed in Cr. Misc. No. 2945 of 2018. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case.

5. Vide order dated 17.08.2023 a report was called for with regard to the stage of the trial. Report dated 21.08.2023 of the learned Trial Court reveals that the prosecution has examined all the witnesses and the case is pending for argument of defense.

6. Considering the aforesaid facts and circumstances of the case and in view of the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 479 of 2017 arising out of Chhatauni P.S. Case No. 259 of 2016 pending in the Court of learned Additional District & Sessions Judge-16th, Motihari, East Champaran.

7. Prayer is refused.

9. However, learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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