

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56423 of 2022

Arising Out of PS. Case No.-193 Year-2021 Thana- MOUZA HIDPUR District- Bhagalpur

Md. Inteshar Son Of Late Md. Feku Miya @ Md. Fakruddin R/O Mohalla-
Mogalpura, Hussainabad, P.S.- Mojahidpur (Babarganj), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vishwanath Pd. Sinha, Sr. Advocate
		Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s	:	Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-05-2023 Heard Mr. Vishwanath Pd. Sinha, learned senior counsel for the petitioner assisted by Md. Najmul Hodda, Advocate and Mr. Kailash Chandra Chaubey, assisted by Narendra Kumar Singh, learned Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 06.12.2021 in connection with S.T. No. 297 of 2022 arising out of Mojahidpur (Babarganj) P.S. Case No. 193 of 2021, F.I.R. dated 19.07.2021 for the offences punishable under Sections 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, on the basis of written report of informant namely, Md. Arif Khan stating therein that



on 19.07.2021 at 10:00 A.M. when he was going to market from home, accused petitioner, co-accused Zeba and Md. Shahjada @ Badshah was standing in way when Rahmat Qureshi and Md. Nahid came on a motorcycle and started abusing the informant. On opposing they went to inside the house of accused Jeba and came out with arms on which the informant ran into his own house but the said accused entered his house and when informant's daughter Bibi Kajal came to save the informant, Md. Inteshar (petitioner) fired and the bullet struck in stomach of his daughter Bibi Kajal who was eight months pregnant, in the way to hospital Bibi Kajal died.

Learned senior counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that before filing of the F.I.R. all the formalities has been conducted by the prosecution and petitioner has not committed any offence as alleged in the F.I.R. and petitioner is in custody since 06.12.2021.

Vide order dated 07.04.2023 a report was called for with regard to the present stage of trial. Report dated 13.04.2023 of the learned trial court reveals that the charge has been framed against the petitioner on 01.11.2022 and four witnesses have



already been examined and the case is pending in the examination of the four non-official witnesses.

Considering the aforesaid facts and report of the learned trial Court, I am not inclined to enlarge the petitioner on bail in connection with S.T. No. 297 of 2022 arising out of Mojahidpur (Babarganj) P.S. Case No. 193 of 2021 pending in the court of learned Additional District and Sessions Judge-Vth, Bhagalpur.

Prayer is refused.

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

(Rajesh Kumar Verma, J)

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