

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72564 of 2022

Arising Out of PS. Case No.-236 Year-2021 Thana- BIRAUL District- Darbhanga

MUNNA RAHMAN Son of Ataul Rahman Resident of Village - Supaul
Bazar, Ramnagar, P.S.- Biraul, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Biraul P.S. Case No. 236 of 2021 instituted for the offence under
Sections 147, 452, 341, 323, 324, 307, 506 of the I.P.C. and later
on added section 302 of the Indian Penal Code.

As per allegation in the FIR, on the alleged date of
occurrence, the accused persons including the petitioner armed
with weapons came at the house of informant and threatened her
to vacate the land. Thereafter, the petitioner assaulted the
informant in right side of her stomach by means of dagger due
to which she sustained injury and during course of treatment,
she died.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. There is a



dispute in respect of land going on between the parties due to which the petitioner has falsely been implicated in this case. It is further submitted that the occurrence took place on 11.9.2021 whereas the FIR has been lodged on 18.9.2021 after delay of seven days. Moreover, the petitioner is languishing in judicial custody since 4.10.2021.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the specific allegation has been made against this petitioner who assaulted the informant by means of dagger due to which she died. The postmortem report of the deceased corroborates the prosecution case. It is further submitted the witnesses of this case have also supported the prosecution.

In pursuance to the direction of this Court, a report with regard to the present stage of trial has been received which has been kept at Flag 'R'.

The report of learned Ist Addl. Sessions Judge, Benipur at Darbhanga, dated 25.5.2023 suggests that trial shall be concluded within period of six months.

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.

The trial Court is directed to expedite the trial and
conclude the same within stipulated period of time (six months).

(Sunil Kumar Panwar, J)

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