

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10175 of 2024

Arising Out of PS. Case No.-233 Year-2021 Thana- MAHISHI District- Saharsa

Md. Fool Hassan @ Md. Ful Hassan @ Phul Hasan Son Of Late Sahadat,
Resident Of Village- Karhara, Ps- Mahishi, Dist- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Dr. Abdus Shakoor, Advocate

For the Opposite Party : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-05-2024 Heard Dr. Abdus Shakoor, the learned counsel for the
petitioner and Mr. Md. Aslam Ansari, the learned Additional
Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
24.01.2022 in connection with Mahishi P.S. Case No. 233 of 2021,
FIR dated 05.12.2021, registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 324, 307, 447, 379 and 506 of
the Indian Penal Code and under Sections 25(1-B)(a), 26, 35, 27
and 35 of the Arms Act and later Section 302 of the Indian Penal
Code was also added.

3. Earlier the petitioner has moved before this Hon'ble
Court in Cr. Misc. No. 45815 of 2022, which was rejected vide
order dated 24.02.2023. Thereafter, the petitioner again moved for
the grant of regular bail in Cr. Misc. No. 61444 of 2023, which
was dismissed as withdrawn vide order dated 15.09.2023.



4. According to the prosecution case, while the informant was on her way home, all the FIR named accused persons, variously armed, started abusing the informant and upon her objection, one Md. Quaium hit on her head with a brick due to which she suffered head injury. It is further alleged that the petitioner fired upon the father of the informant and the accused persons also assaulted the grandfather of the informant.

5. Vide order dated 16.02.2024, a report was called for with regard to the stage of the trial and the report of the learned trial Court dated 01.03.2024 reveals that altogether eight prosecution witnesses have been examined, including the informant and the investigating officer and only one remaining investigating officer and doctor are yet to be examined.

6. Considering the report of the learned trial Court, I am **not** inclined to enlarge the petitioner on bail in connection with Mahishi P.S. Case No. 233 of 2021, pending in the Court of learned Additional Chief Judicial Magistrate-II, Saharsa.

7. Prayer is refused.

8. 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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