

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34698 of 2024

Arising Out of PS. Case No.-212 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Bismillah Khan @ Bismillah Son Of Md. Ishahaque @ Md. Ishahak Village-
Pakki Sarai Chowk Chandwara, Ps- Town, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur
For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-07-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner seeks bail in connection with
Sessions Trial No.311/2022, arising out of Muzaffarpur Town
P.S. Case No.212/2021, registered for the offence punishable
under Sections 304(B) of the Indian Penal Code & Section 27 of
the Arms Act.
3. Learned counsel for the petitioner submits that this
is the second attempt of the petitioner to seek regular bail as
earlier the bail application of the petitioner was rejected by an
order dated 29.04.2023 in Cr. Misc. No.67718/2022. It is next
submitted that no doubt the allegation as alleged in the F.I.R.
appears to be heinous in nature but then the petitioner is not



making any submission on merit, it is further submitted that the charges in the case was framed on 27.09.2022 and after framing of charge, not a single prosecution witness has appeared, which amply demonstrates that the informant is only interested in keeping the petitioner behind bars and the State is also not interested in prosecuting the petitioner. It is next submitted that charges have been framed on 27.09.2022 also stands recorded in the order impugned.

4. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

5. The Court for the present is not inclined to release the petitioner on bail.

6. Accordingly, the bail application of the petitioner is rejected.

7. However, in the event, if the trial is not concluded within a period of one year from today, in that event, the petitioner would be at liberty to renew his prayer for bail.

(Satyavrat Verma, J)

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