

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40258 of 2024

Arising Out of PS. Case No.-63 Year-2020 Thana- NATIONAL HIGHWAY District-
Samastipur

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Md Irfan @ Md Arman Son Of Md Jakir R/O- Vill- Milki, P.S- N.H. Bangara,
Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Hussamuddin Azad, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-09-2024 Heard Md. Hussamuddin Azad, learned counsel for

the petitioner and Mr. Kumar Veerendra Narayan, learned A.P.P.

for the State.

2. The petitioner seeks bail, who is in custody since
07.09.2022, in connection with S. Tr. No. 227 of 2023 arising out
of N.H. Bangara P.S. Case No. 63 of 2020, FIR dated
04.06.2020, registered for the offence under Sections 302, 328
and 34 of the Indian Penal Code.

3. As per the prosecution case, petitioner and others
have forcibly administered poison to the daughter of the
informant due to which she died.

4. Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and he has falsely been implicated in this case. He
further submits that the allegation as alleged in the FIR is false
and fabricated and the petitioner has not committed any offence



as alleged in the FIR. The petitioner is rotting in judicial custody since 07.09.2022.

5. Learned A.P.P. for the State, on the other hand, on the basis of the material available on the record in the case diary has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner in the FIR apart from that vide order dated 26.07.2024, a report with regard to the present status of the trial was called for. Report of the learned Trial Court dated 05.08.2024 reveals that out of six prosecution witnesses, four witnesses have been examined and only I.O. and doctor is yet to be examined.

6. In view of the allegation as alleged in the FIR as well as the report of the trial Court, I am not inclined to enlarge the petitioner on bail in connection with S. Tr. No. 227 of 2023 arising out of N.H. Bangara P.S. Case No. 63 of 2020, pending in the Court of learned Additional District Judge-IX, Samastipur.

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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