

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43301 of 2024

Arising Out of PS. Case No.-288 Year-2022 Thana- KADWA District- Katihar

Md. Babul @ Babul Asgar @ Bablu Asgar @ Md. Bablu Alam S/o Md.
Taiyab R/o Unasi Panchgachhi, P.S. - Balia Belon, Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 10-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S. T.
No. 119 of 2023, arising out of Kadwa P.S. Case No. 288 of
2022 instituted for the offences under Sections 302, 201, 120B
of the Indian Penal Code.

3. It is alleged that unknown miscreant(s) have
committed the murder of the deceased and thrown the dead
body of the deceased in field.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that FIR was registered
against unknown. The name of the petitioner transpired in this



case during investigation only on the basis of mobile tower location. There is no eye-witness to the occurrence. Charge-sheet has been submitted in this case and charge has already been framed against the petitioner. Learned counsel further submitted that as per post-mortem report, deceased died due to asphyxia as a result of strangulation. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.10.2022 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. As per the report sent by learned Trial Court, the trial is pending for prosecution witnesses. Learned court below has further reported that out of eight, six prosecution witnesses have been examined and trial is expected to be concluded within a period of nine months.

7. Considering the aforesaid facts and circumstances of the case, stage of the trial as also the period of custody undergone by the petitioner, this Court, at this juncture, is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for grant of bail to the petitioner is rejected.

9. Learned Trial Court is directed to conclude the trial



in expeditious manner without any undue delay and unnecessary adjournment.

(Rudra Prakash Mishra, J)

Alok Verma/-

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