

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48826 of 2024

Arising Out of PS. Case No.-195 Year-2019 Thana- BARHARIA District- Siwan

Nazruddin Ansari @ Najruddin Ansari, Son of Jalil Ansari @ Jalil Miya, R/o
village - Kaparpura Arna Bazar, P.S.- Uchkagaon, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-09-2024 Heard Mr. Satyendra Rai, learned Advocate appearing
on behalf of the petitioner and the learned Additional Public
Prosecutor for the State.

2. The application for grant of bail to the petitioner
who is in custody in connection with Barharia P.S. Case No. 195
of 2019 registered for the offence punishable under Sections 302
and 120(B) of the Indian Penal Code.

3. This is the second attempt made on behalf of the
petitioner as earlier the prayer for bail of the petitioner was
turned down by learned co-ordinate Bench of this Court in
Criminal Misc. No. 54888 of 2022, vide order dated 09.02.2023,
by taking into consideration the specific nature of accusation of
causing knife blow, leading to death of the father of the
informant.



4. Learned Advocate appearing on behalf of the petitioner contended that informant is not an eye witness to the alleged occurrence and only on account of suspicion, the name of the petitioner has been implicated in this case. Even if the allegation taken to be true for the sake of argument, there is no allegation of repetition of blow against the petitioner and, as such, the motive of the petitioner cannot be said to be causing death of the deceased. Moreover, the charges have been framed on 23.11.2022 but till date, the trial has not been concluded and now the petitioner has been incarcerated for over a period of two years.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submits that specific accusation of causing knife blow has been levelled against the petitioner, due to which the deceased succumbed to the injury. Learned Advocate for the State also drew the attention of this Court that on the last occasion the status report was called for and it appears that the trial is at the fag end.

6. Regard being had to the submissions made on behalf of the parties and considering the specific nature of accusation of causing knife blow over the chest of the father of



the informant leading to his instantaneous death coupled with the fact that out of seven chargesheet witnesses, four of the witnesses including the informant have already been examined and there is every likelihood that the trial shall be concluded within a short span of time, this Court is not persuaded to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner stands rejected. It is expected that the learned Trial Court shall take all endeavors to conclude the trial as per its expectation disclosed in the status report.

(Harish Kumar, J)

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