

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65855 of 2023**

Arising Out of PS. Case No.-144 Year-2021 Thana- PATNA CITY CHOWK District- Patna

MD. WAZID @ GOLTI SON OF MD. SAMIN @ MD. SAMIM
BAWARCHI R/O BANDHPUR, PS- CHOWK, DIST- PATNA-800008.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Upadhyay

For the Opposite Party/s : Mr.Nand Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

6 23-02-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Chowk P.S. Case 144/2021, registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner is alleged to have fired upon the informant's son which hit him on chest as a result of which the informant's son died.

4. Learned counsel for the petitioner submits that on 20.01.2023 the bail of the petitioner has already been rejected by this Court vide Cr. Misc. No.30333/2022. He further submits that the petitioner is innocent and has falsely been implicated in this case due to village politics. The petitioner is languishing in



custody since 25.05.2021 and bears criminal antecedent of two cases and in both cases he is on bail. No incriminating articles has been recovered from the possession of the petitioner.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that earlier bail prayer of the petitioner has been rejected on merit vide order dated 20.01.2023 passed in Cr. Misc. No.30333/2022. Learned counsel further submits that there is specific allegation of firing against the petitioner which hit the chest of the informant's son and postmortem report also supports that the death is caused by fire-arm injury.

6. A report regarding stage of trial has been sought by this Court and in pursuance of the said direction, the trial court vide letter no.15/2024 has sent its report in which it has been mentioned that there are seven witnesses in this case and the same would be concluded within six months.

7. Considering the facts and circumstances of the case, keeping in view that earlier bail prayer of the petitioner has been rejected on merit as well as report of the trial court, I am not inclined to grant bail to the petitioner. Hence, prayer for bail of the petitioner stands rejected.

8. However, the trial court is directed to expedite the



trial as early as possible.

(Alok Kumar Pandey, J)

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