

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59201 of 2023

Arising Out of PS. Case No.-399 Year-2022 Thana- MUNGER MUFFASIL District- Munger

MD. KHURSHID, Son of Md. Allauddin @ Gulgul R/o vill - Minnat Nagar,
P.S. - Kotwali, Distt. - Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Kamal Nayan, Adv.
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP
For the Informant	:	Ms. Jyoti Ranjan Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 27-02-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 399 of 2022, lodged on 02.11.2022 under
Sections 302/34 of the Indian Penal Code read with section 27
of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against 11 named accused persons including the present
petitioner. The allegation against the present petitioner is that he
fired on the father of the informant who sustained injury below
his right ear and subsequently, he died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the antecedent of the petitioner is clean and he



is in custody since 27.01.2023. Counsel further submits that charge-sheet has already been filed in this case, but unnecessarily delay has been caused by the informant's side and evidence are not coming.

5. Learned APP for the State and learned counsel for the informant vehemently opposes the prayer for bail of the petitioner and submits that out of 11 charge-sheet witnesses, examination of 9 witnesses has already been taken place and only 2 government witnesses has not been examined as yet.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Muffasil P.S. Case No. 399 of 2022, pending before the learned Additional Sessions Judge-IV, Munger is **hereby rejected**.

8. Trial Court is directed to expedite the trial as early as possible, preferably within 6 months.

(Dr. Anshuman, J.)

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