

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84237 of 2023

Arising Out of PS. Case No.-321 Year-2021 Thana- RANIGANJ District- Araria

MD. FIROZ Son Of Md. Khalil R/O Village- Hasanpur, Ansari Tola, P.S.-
Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Rashmi, Advocate

For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-01-2024 Heard the learned counsel for the
petitioner and the learned APP for the State.

2. The present petition is by way of second attempt at the behest of the petitioner for grant of regular bail in connection with S.Tr. No.73 of 2022 arising out of Raniganj P.S. Case No.321 of 2021, instituted for the offences punishable under Sections 302, 201 and 120B of the Indian Penal Code, inasmuch as the earlier prayer of the petitioner for grant of regular bail has stood rejected by this Court vide order dated 19.01.2023, passed in Cr. Misc. No.20372 of 2022.

3. The case of the prosecution in brief,



according to the informant, is that his younger brother was married with Shakila Khatoon, 10 years back and subsequently, upon being pressurized by the said Shakila Khatoon, the deceased had started residing at his in-laws' house at Dumar where the said lady had developed illicit relationship with the petitioner and they, in connivance with each other, had killed the younger brother of the informant.

4. The learned counsel for the petitioner submits that the petitioner is languishing in custody since 01.11.2021, hence a sympathetic view be taken and the petitioner be granted the privilege of regular bail.

5. *Per contra*, the learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and submitted that the aforesaid order dated 19.01.2023 would show that there are ample material in the case diary to show the complicity of the petitioner in the alleged crime.

6. Having regard to the facts and



circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that by an elaborate order dated 19.01.2023, this Court has already rejected the prayer of the petitioner for grant of bail finding him to be prima facie having complicity in the alleged occurrence, this Court finds that there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of regular bail, hence the present petition stands dismissed being bereft of any merit.

(Mohit Kumar Shah, J)

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