

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1229 of 2024**

Arising Out of PS. Case No.-24 Year-2020 Thana- SIKANDRA District- Jamui

Md. Sabdar @ Sabdar Son Of Hanan Mallik R/O Village- Markama, P.S.-  
Sikandra, District- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

4      22-04-2024                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner is in custody in connection with  
Sessions Trial No. 179 of 2023 arising out of Sikandra P.S  
Case No. 24 of 2020 from the Court of learned Addl.  
Sessions Judge 2<sup>nd</sup>, Jamui registered for the offences  
punishable under Sections 302, 34 of the I.P.C and 27 of the  
Arms Act.

3. The prosecution case as per the written report of  
the informant is that on 04.02.2020 at 4:45 P.M.. Md.  
Akhtar, Md. Sabbar and 4 to 5 unknown persons came  
armed with country made pistol and started abusing and



upon order of Md. Akhtar that Hasib has come and thinking Maternal uncle of the informant Md. Mahfooz as Hasib, touching the stomach of the Md. Mahfooz fired due to which he got injured and blood started oozing out. It is thereafter claimed that the injured was taken to Sikandara Hospital, whereafter he was referred to Patna and while going to Patna, the maternal uncle of the informant died near Barbigha.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is also submitted that petitioner is in judicial custody since 30.08.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. In view of the allegation, perusal of case dairy, postmortem report, impugned order dated 04.10.2023 it appears that, cause of death of the deceased is due to hemorrhage and shock due to injuries caused by firearm and petitioner is the main accused person and considering the seriousness of the offence and trial is in advanced stage where charge has already been framed and two witnesses



have been examined till now, I am not inclined to grant bail to the petitioner.

7. Hence the prayer of the regular bail of the petitioner is hereby rejected. However, trial court is directed to conclude the trial within a period of six months, and petitioner is also directed to co-operate in the trial.

**(Ramesh Chand Malviya, J)**

Mayank/-

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