

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83900 of 2023

Arising Out of PS. Case No.-349 Year-2021 Thana- SHIVSAGAR District- Rohtas

IZHAR KHAN S/O Late Gafoor Khan. R/O village -Kaiti, P/s Sheosagar, Dist
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.D. K. Sinha, Sr. Advocate
		Mr. Alexander Ashok, Adv.
For the Opposite Party/s :		Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 01-03-2024 1. Heard Mr. D. K. Sinha, learned senior counsel for
the petitioner and learned APP for the State.

2. Petitioner seeks regular bail in connection with
Shivsagar P.S. Case No. 349/ 2021 dated 13.11.2021 registered
for the offence(s) punishable under Section(s) 147, 148, 149,
302, 323, 504 and 506 of the Indian Penal Code and under
section 27 of Arms Act.

3. The main submissions advanced by learned senior
counsel for the petitioner are that this is second attempt of the
petitioner for the relief of regular bail after the petitioner's
earlier attempt for the same relief was rejected by this court vide
order dated 05.04.2023 passed in Cr. Misc. No. 57486/ 2022
preferred by this petitioner and now the petitioner has again
come for the same relief mainly on the ground of his



incarceration period and stage of his case. Further submissions are that petitioner's case is at initial stage and even charges have not been framed against him and as per allegation, several persons were involved in assaulting the victim, who was a veteran criminal carrying more than 30 cases against him. Further submissions are that petitioner has been languishing in jail since 06.12.221 and he has falsely been roped in this case on account of political rivalry with the informant.

4. Learned APP appearing for the State opposes the bail prayer.

5. Heard both sides. Though petitioner has been languishing in jail since 06.12.2021 and his trial is at initial stage, however, in view of the seriousness of allegation, this court is not persuaded to release the petitioner on bail at this stage. Accordingly, his prayer stands rejected.

6. Petitioner is given liberty to renew his bail prayer after one year, if any significant progress is not made in his trial by the trial court.

(Shailendra Singh, J)

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