

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83645 of 2023

Arising Out of PS. Case No.-37 Year-2022 Thana- FESHAR District- Aurangabad

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MOHAMMAD TAUHID @ MD. TAUHID @ TOUHID SON OF LATE MD.
SAYID RESIDENT OF VILLAGE - MAULA NAGAR, P.S. - FESAR,
DISTRICT - AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rahul Kumar Singh
For the Opposite Party/s	:	Mr.Kumar Ranjit Ranjan
For the State	:	Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 03-04-2024 This is the third attempt of the petitioner for grant of regular bail as earlier the bail applications of the petitioner have been rejected vide order dated 23.5.2023 and 8.9.2023 passed in Cr. Misc. No. 25038 of 23 and 59536 of 2023 respectively.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner seeks bail in connection with Fesar P.S. Case No. 37 of 2022 registered for the offence under Section 41, 323, 325, 307, 302, 34, 504, 506, 379 of the Indian Penal Code.

4. As per the prosecution case, the deceased was



brutally assaulted by the accused persons and the petitioner is one of the accused persons.

5. The deceased has multiple injuries which supports the prosecution case.

6. Today, learned counsel for the petitioner has argued that there is general and omnibus allegation against all the accused persons and there is no specific allegation against any of the accused persons. He further submits that in the trial, only two witnesses have been examined yet and therefore, he may be granted bail.

7. Learned counsel for the petitioner also submits that the petitioner is in jail since 23.2.2023.

8. Learned APP for the State has opposed the application of the petitioner for grant of bail by contending that the trial is proceeding and two witnesses have already been examined.

9. In the opinion of this Court, the argument of learned counsel for the petitioner that there is no specific allegation against any of the accused persons cannot be considered by this Court.

10. In view of the above discussions, this Court is not inclined to grant bail to the petitioner.



11. Accordingly, this application is dismissed.

12. The trial Court is directed to expedite the trial of the petitioner and conclude the same at the earliest.

13. The Superintendent of Police, Aurangabad is directed to produce the witnesses on all the dates fixed by the trial Court so that the petitioner's right of speedy trial is not defeated.

14. Let a copy of this order be communicated to the Superintendent of Police, Aurangabad through FAX for its compliance.

(Sandeep Kumar, J)

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