

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8238 of 2025

Arising Out of PS. Case No.-1 Year-2011 Thana- NIMCHAKBATHANI District- Gaya

Md. Wakil @ Md. Wakil Ahamad @ Wakil Miyan @ Dukhu @ Dukhu Miyan
S/o Late Alidaz Miyan @ Alidaz R/o vill- Manjhouli, PS- Nimchak Bathani,
Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 08-05-2025 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Nimchak Bathani P.S. Case No. 01 of 2011, registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per F.I.R., the occurrence had taken place on 02.01.2011. The specific allegation against the petitioner and co-accused, Md. Imran is that he fired at Md. Pyaru who died during course of treatment.

4. Learned Senior Counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The informant is not an eye-



witness and according to postmortem report, except injury no. 1 other injuries are caused by hard and blunt substance.

5. On the other hand, learned Additional Public Prosecutor, Mr. J.N. Thakur assisted by learned counsel for the informant opposes the prayer for bail by submitting that the petitioner had fired on the deceased along with co-accused, Md. Imran, they have also submitted that the prayer for anticipatory bail was refused in the year 2012 and thereafter he remained absconding. In 2016, he was declared absconder by the learned Court below and due to absconding of the petitioner, the case was lingered for considerable long duration.

6. Considering the above-mentioned facts and circumstances, I am not inclined to grant him privilege of bail, which is accordingly rejected.

7. The learned Court below is directed to expedite the trial.

(Nawneet Kumar Pandey, J)

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