

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31484 of 2024

Arising Out of PS. Case No.-264 Year-2016 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Md. Shamshad @ Auwa @ Aaua @ Mohammad Shamshad Siddique S/o Late
Yusuf Mian R/o Mohalla - Pankaj Market Saraiyaganj, P.S. - Muzaffarpur
Town, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Adv.
Ms. Priyanka Singh, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

6 24-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the seventh attempt of the petitioner for bail.
Earlier six times, the prayer for bail of the petitioner was
rejected by a Co-ordinate Bench of this Court, details of which
has been mentioned in Para-2 of the present bail application.

3. The petitioner seeks bail in connection with
Sessions Trial No. 672 of 2016 arising out of Muzaffarpur Town
P.S. Case No. 264 of 2016 instituted for the offences under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

4. The prosecution case, in short, is that when the



Informant was bringing the deceased for his production in the court of Chief Judicial Magistrate, Muzaffarpur, two unknown persons fired thrice upon the deceased, due to which he succumbed to the injury.

5. The petitioner has filed supplementary affidavit stating therein that the petitioner has one criminal antecedent in which he is on bail.

6. In compliance to the earlier order of this Court, the learned court below has sent status report, stating therein that the case is fixed for arguments and the case shall be disposed of expeditiously, in most likelihood within a month, after the defence evidence is closed.

7. After hearing the learned counsel for the parties and considering the report sent by the learned court below, this Court does not find any fresh ground to re-visit the matter which stands already decided six times by Co-ordinate Benches of this Court for the reason of there being specific allegation of firing against the petitioner. This Court would further take note of the fact that the petitioner is in custody since 06.07.2016.

8. Considering the entire facts and circumstances of the case, there being no fresh ground for reconsidering the matter as also taking into account the report sent by the learned



court below, this Court is not inclined to take a different view of the matter.

9. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same as soon as possible without there being any unnecessary delay or adjournment.

(Rudra Prakash Mishra, J)

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