

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65985 of 2024

Arising Out of PS. Case No.-343 Year-2023 Thana- FORBESGANJ District- Araria

Md Sajjad @ Sajjad Alam Son of Late Kabil Hussain Resident of Vill-
Haldiya Bikra, Ward No.7, P.S.- Simraha, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 07-03-2025 Heard Mr. Mrigendra Kumar, learned counsel for the

petitioner and Mr. Sanjay Kumar Singh, learned APP for the

State.

2. The petitioner is in judicial custody in connection
with Forbesganj (Simraha) P.S. Case No. 343 of 2023 for the
offence punishable under Sections 147, 148, 149, 341, 323, 324,
302, 120(B), 504 and 506 of the Indian Penal Code lodged on
18.04.2023 by the informant, Bibi Jhalki.

3. As per the prosecution story, the informant alleged
that her husband moved on a horse but later, it was informed
that he has been brutally assaulted. Thereafter, video footages of
50 seconds each came into existence in which the informant's
husband while lying roadside, has named this petitioner.
Accordingly, the FIR.



4. In that view of the matter, since the person who after making the said statement, died alleged in the video which became viral and later, seized by the Police. So far as the anticipatory bail is concerned, the same cannot be extended to the petitioner, which is accordingly rejected.

5. If the petitioner surrenders within four weeks from today, the bail petition shall be considered and disposed of preferably on the same day without taking into account any observation made in the present case.

6. In this case, a report was called for from the Trial Court and as per it due to non-appearance of one Imteyaz who was granted bail, the Trial could not proceed. Pursuant thereto, SHO, Forbesganj (Simraha), Araria was summoned before this Court on 21.02.2025 whereafter it was informed that Imteyaz has been arrested.

7. Learned counsel for the petitioner submits that only on the basis of footage video, the petitioner has been implicated. Learned APP on the other hand pointed out that not only the deceased has recorded his version in the video, the post mortem report shows that how brutally he was assaulted. He has also drawn attention to paragraph-3 that the petitioner has criminal antecedent.



8. Considering the allegation that has come which led to the brutal murder of the informant’s husband, for the present, this Court is not inclined to extend him the privilege of bail which is accordingly rejected. However, since the petitioner is in custody for almost a year, now that Imteyaz has been arrested, the Trial Court is requested to expedite the trial and see to it that the same is concluded in next nine months. In case of any difficulty, it can also separate the trial of those in custody with other are move forward to conclude the same.

(Rajiv Roy, J)

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