

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85564 of 2024

Arising Out of PS. Case No.-17 Year-2023 Thana- RAGHOPUR District- Supaul

Md. Nikhil @ Md. Mikhil @ Md. Mikail @ Md. Nikhail @ Md. Nikail S/o
Late Sobrati R/o vill - Bengaipatti, Ward No. 5, P.S.- Raghapur, District-
Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-01-2025 Heard Mr. Nafisu Zzoha, learned counsel for the

petitioner and Mr. Umeshanand Pandit, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
14.01.2023, in connection with S.T No.194 of 2023 arising out
of Raghapur P.S. Case No.17/2023, F.I.R. dated 13.01.2023 for
the offences punishable under Sections 147, 148, 149, 341, 323,
324 and 302 of the Indian Penal Code.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 21.09.2023 passed in Cr. Misc. No.
52928/2023. Thereafter, the petitioner has again moved before
this Court for want of regular bail in Cr. Misc. No.52356/2024,
which was dismissed as withdrawn by this Court vide order



dated 06.09.2024 with the liberty to the petitioner to move before the learned Court below.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. The petitioner is rotting in judicial custody since 14.01.2023.

5. Vide order dated 13.12.2024, a report with regard to the present status of the trial was called for. Report of the learned Trial Court dated 09.01.2025 reveals that out of 11 witnesses, 9 witnesses have been examined and 2 prosecution witnesses are yet to be examined.

6. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that it appears from the F.I.R. that there is a direct and specific allegation against the petitioner that he has assaulted the father of the informant, namely, Md. Ismail, by means of a spade due to which he died and apart from that, the post-mortem report also supports the prosecution version.

7. Considering the nature of the allegation in the F.I.R. as well as the report of the learned Trial Court, I am not



inclined to enlarge the petitioner on bail in connection with S.T
No.194 of 2023 arising out of Raghapur P.S. Case No.17/2023,
pending in the Court of Additional Sessions Judge-3rd, Supaul.

8. Prayer is refused.

9. However, the learned Trial Court is directed to
expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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