

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11601 of 2026

Arising Out of PS. Case No.-174 Year-2023 Thana- AMAUR District- Purnia

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Daud @ Md. Daud S/o Md. Gafur Resident of Village- Dalmalpur, PS-
Amour, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 01-05-2026 Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Amaur P.S. Case no.174 of 2023 registered under sections 302, 147, 148, 149, 341, 323, 325, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, as a result of altercation between the parties over a trivial matter, it is stated that twelve named accused persons including the petitioner herein came and started to abuse the informant. It is further stated that coaccused Firoz stated that the informant and another should be killed on which the petitioner struck the husband of the informant on the head with the bamboo stick as a result of which he fell down unconscious and subsequently, succumbed to his injuries. It is further stated that the other accused persons



also assaulted the informant and other members of his family.

4. It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected on several occasions, last being vide order dated 31.1.2024 (Annexure-1) passed in Cr. Misc. no. 4056 of 2024 directing the learned trial Court to expedite the trial. In spite of the petitioner being in custody since 5.10.2023, the trial has still not concluded.

5. The application for bail is opposed by learned APP for the State who submits that it was as a result of assault by the petitioner with the bamboo stick that the husband of the informant fell down unconscious and subsequently died. As such, he is the assailant and taking this fact into consideration that the other co-accused have been enlarged on bail.

6. A report was called for from the learned trial Court. As per report received contained in letter dated 8.4.2026 of the learned Sessions Judge, Purnea all the chargesheeted witnesses including the Investigating Officer of the case as also the doctor have been examined and statement of the accused has also been recorded. As per the report, the case is fixed for the defence evidence.

7. Having heard learned counsel for the parties and



taking into consideration the allegations against the petitioner of his being the assailant of the deceased together with all the prosecution witnesses having been examined, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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