

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91934 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- ASANWA District- Siwan

Akhatar Miya @ Akhatar Ali son of Subhan Miya Resident of village
-Arakpur Barkurwa PS -Asaon District -Siwan

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 01-05-2026 Heard the parties.

2. The petitioner is in custody in connection with Asaon P.S. Case No. 59 of 2025, for the offence punishable under Sections 103 and 3(5) of the B.N.S., lodged on 27.04.2025 by the informant, Gulshan Begum.

3. As per the prosecution story, the informant alleged that while she was sitting near a mahua tree, Kalamudin abused her and later, called his family members whereafter allegation is that Akhatar Miya @ Akhtar Ali (petitioner) assaulted her husband causing fracture beside hitting on the head by 'sariya' as a result, whereof, he became unconscious. Others also resorted to the assault. This led to the FIR. As the story unfolds, the husband subsequently succumbed to the injuries which led to the incorporation of the different sections of the B.N.S.



4. Learned counsel for the petitioner submits that he has already suffered in custody since 28.04.2025. Only one witness out of five witnesses has been examined.

5. Learned counsel for the State and as well as informant has taken this Court to postmortem report to show that the injury inflicted by the petitioner on the head found recorded in the postmortem report and corroborating it submits that fracture has been recorded.

6. Considering the allegation that has come against the petitioner, the bail application stands rejected.

7. As the case of the petitioner has been rejected, the trial court is requested to expedite the trial and see to it that this rest of the witnesses have been examined and the trial is taken to its logical conclusion.

(Rajiv Roy, J)

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