

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30400 of 2015

Arising Out of PS.Case No. -133 Year- 2013 Thana -MUNGER MUFFASIL District- MUNGER

1. Mukesh Mahto Son of Kiso Mahto, resident of village -Karbala Chitola, P.S. - Kasim Bazar, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.32077 of 2015

Arising Out of PS.Case No. -133 Year- 2013 Thana -MUNGER MUFFASIL District- MUNGER

1. Kiso Mahto Son of Biro Mahto, resident of village- Karbala Chitola, P.S. Kasim Bazar, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.30400 of 2015)

For the Petitioner/s : Mr. Avinash

For the Opposite Party/s : Mr. Anuj Kumar Srivastava(App)

(In Cr.Misc. No.32077 of 2015)

For the Petitioner/s : Mr. Avinash

For the Opposite Party/s : Mr. Anuj Kr.Srivastav(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 07-12-2015 Both the above-said petitions arise out of Muffasil P.S. Case No. 133 of 2013 registered under Sections-302/34 of the Indian Penal Code and accordingly, both the above-said petitions are being heard and disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioner in Cr. Misc. No. 32077 of 2015 is said to be order giver whereas; petitioner in Cr. Misc. No. 30400 of 2015 is said to be main assailant.

Earlier prayer for bail of the petitioner in Cr. Misc. No. 30400 of 2015 was rejected by this court and again, this court is not inclined to release him on bail and hence, his prayer of bail in connection with Muffasil P.S. Case No. 133 of 2013 stands rejected.

However, learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible.

Copy of this order be sent to the Superintendent of Police, Munger with direction to him to ensure the presence of prosecution witnesses of S.Tr. No. 992 of 2013 before the court of Ad hoc Additional District & Sessions Judge-VIII, Munger within three months from the date of receipt/production of copy of this order, failing which, the matter shall be viewed seriously.

So far as Petitioner in Cr. Misc. No. 32077 of 2015 is concerned; he is in jail custody since 14-12-2014 on the accusation that he instigated the others to commit murder of the deceased and therefore, taking note of period of detention of the petitioner in jail custody, let the petitioner in Cr. Misc. No. 32077

of 2015 named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Muffasil P.S. Case No. 133 of 2013 corresponding to Sessions Trial No. 992 of 2013 to the satisfaction of learned Ad hoc Additional District & Sessions Judge-VIII, Munger.

(Hemant Kumar Srivastava, J)

A.K.V./-

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