

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41095 of 2015

Arising Out of PS.Case No. -53 Year- 2014 Thana -ALOULI District- KHAGARIA

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1. Prakash Mahto, Son of Late Ramdeo Mahto.
 2. Sudhir Mahto, Son of Prakash Mahto. Both Resident of village- Sumbha Gazighat Tola Kehuna, P.S. Allouli, District- Khagaria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Nakul Kumar Jamuar, Advocate.

For the Opposite Party : Mr. Suresh Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 23-09-2015 Heard the learned counsel for the petitioners as well as the learned A.P.P.

The petitioners want to renew their prayer for bail which was earlier twice rejected by this Court, once by order dated 10.07.2014 passed in Cr. Misc. No. 28776 of 2014 and again by order dated 11.02.2015 passed in Cr. Misc. No. 5101 of 2015 on the ground that trial has not been concluded as yet though there was direction to conclude the same within six months and further that in the postmortem report only one injury has been found on the head and as such one of the petitioners is entitled to bail, to which the learned A.P.P. opposes.

Considering the fact that allegedly both the petitioners

with intention to kill brutally assaulted on the head of the deceased which proved fatal and as such this Court is not inclined to reconsider the prayer for bail of the petitioners and accordingly their prayer for bail in connection with Alauli P.S. Case No. 53 of 2014 pending in the court of A.C.J.M. Khagaria is again hereby rejected.

From the report of the Trial Judge it reveals that the trial is in progress and three witnesses have already been examined out of eight witnesses and as such the trial court is directed again to conclude the trial as early as possible preferably within a period of four months, failing which the petitioners will be at liberty to renew their prayer for bail.

(Jitendra Mohan Sharma, J)

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