

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21668 of 2016

Arising Out of PS.Case No. -76 Year- 2014 Thana -THAKRAHA District-
WESTCHAMPARAN(BETTIAH)

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Mangal Musahar @ Mangal Mushar S/o Inar Musahar resident of Village-
Jamuniya, P.S.- Thakuraha (Bhitaha), District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-06-2016 Earlier bail application of the petitioner was rejected on 8.10.2015 in Cr. Misc. no. 38651 of 2015. This is the second attempt on behalf of the petitioner for grant of bail. A report regarding stage of the case was called for from the trial court. From perusal of the same it is evident that prosecution witnesses have already been examined and it has been stated by the trial court, that within a period of six months the trial will be concluded.

On behalf of the petitioner it has been submitted that petitioner is in custody since 19.5.2014, i.e., for approximately more than two years and he has got no criminal antecedent. There is no allegation of tampering of evidence against the petitioner. It is at best a case under Section 304 Part-II of the Indian Penal Code.

On behalf of the State it is submitted that petitioner is named in the F.I.R. and the trial is already in progress. Hence, it would not be appropriate to grant bail to the petitioner at this stage.

Considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner, same is rejected.

Any how, learned 2nd Addl. Sessions Judge, Bagaha, West Champaran, is further granted six months time to conclude the trial from the date of receipt/production of a copy of this order. Let a copy of the order be sent to the Superintendent of Police, Bagaha, who shall ensure that the prosecution witnesses are present in the court on the date fixed by the trial court.

(Sudhir Singh, J)

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