

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 32857 of 2015

Arising Out of PS.Case No. -86 Year- 2013 Thana -BARIYARPUR District- MUNGER

Vikash Mandal Son of Shri Amarnath Mandal @ Loha Mandal, resident of
Village- Vijay Nagar, P.S. Bariyarpur, District Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3 26-11-2016

Heard learned counsel for the parties.

The petitioner seeks bail in connection with
Bariyarpur P.S. Case No. 86 of 2013 dated 12.08.2013 instituted
under Sections 341/323/324/307/34 of the Indian Penal Code to
which later on Section 302 of the Indian Penal Code was added.

This is the second attempt of the petitioner
for bail in connection with Bariyarpur P.S. Case No. 86 of 2013
as earlier such prayer was rejected by order dated 26.11.2014 in
Cr. Misc. No. 16048 of 2014. However, the Court below was
directed to expedite the trial and conclude the same within six
months.

The stand of the petitioner is that the
prosecution witnesses have been examined and nothing has come

against him.

Having considered the aforesaid fact, it is obvious that the prosecution has discharged its obligation of getting the witnesses examined and the entire onus lies upon the petitioner to get his witnesses examined, if not examined, after which the matter shall be finally heard and disposed off. Thus, at the fag end stage of the trial, the Court does not feel that there is any occasion to consider the prayer for bail, especially when no mitigating circumstances after the earlier rejection order have been shown, except for passage of time

In view of the aforesaid, the petition stands dismissed.

(Ahsanuddin Amanullah, J.)

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