

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.276 of 2016

Arising Out of PS.Case No. -20 Year- 2014 Thana -HASANPUR District- SAMASTIPUR

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1. Arjun Kumar Mahto son of Baiju Mahto @ Bijendra Kumar Mahto
resident of village Maldah, P.S. Hasanpur, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Narsingh Tanti(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 10-02-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was rejected
by this court vide order dated 28-01-2015 passed in Cr. Misc. No.
37524 of 2014 taking note of the allegation, levelled against the
petitioner but submission on behalf of the petitioner is that
petitioner is in jail custody for near about two years and uptill
now, the trial of the petitioner could not be concluded.

From perusal of the impugned order, I find that uptill
now, only three prosecution witnesses could be examined and still
the prosecutrix has not been produced before the trial court by the
prosecution.

In the aforesaid circumstances, the prayer for bail of

the petitioner in connection with Hasanpur P.S. Case No. 20 of 2014 corresponding to Sessions Trial No. 408 of 2014 pending in the court of learned Additional Sessions Judge, Rosera, Samastipur stands rejected, giving liberty to him to renew his prayer for bail before the trial court itself after examination of the prosecutrix and furthermore, the prosecution is directed to get the prosecutrix examined within 4 months from the date of receipt/production of copy of the aforesaid order, failing which, the petitioner may renew the exercise of liberty, granted to him by this order.

A.K.V./-

(Hemant Kumar Srivastava, J)

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