

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31835 of 2016

Arising Out of PS.Case No. -322 Year- 2014 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Guddu @ Sumeshwer Mahto @ Sumesar Mahto, Son of Binod Mahto
Resident of Village- Maniyari P.S Shikarpur, District West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sri Ramchandra Sahani (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 31-08-2016 Heard learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner wants to renew the prayer of bail which was earlier rejected by order dated 23.11.2015 passed in Cri. Misc. No. 32806 of 2015 on the ground that against co-accused Ghuran Mahto. Chargesheet has not been submitted and allegations has been found not true against him whereas against the petitioner and Ghuran Mahto there is allegation for causing injury on the head of the deceased and as such, the petitioner who is suffering in custody since 21.01.2015 now deserves sympathetic consideration, as in near future there is no likelihood of conclusion of trial.

The learned A.P.P. opposes the prayer of bail by

submitting that against the petitioner finding allegation true chargesheet is submitted under section 302, 120(B)/34 of the Indian Penal Code.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner at present, I am not inclined to enlarge the petitioner on bail. Accordingly, his such prayer stands rejected in connection with Shikarpur P.S. Case No. 322 of 2014 pending in the court of Sri Sitesh Kumar, J.M. 1st Class, Bettiah, West Champaran.

However, considering the detention of the petitioner, let the case be committed to the Court of Sessions at once and thereafter the learned trial Judge shall expedite the trial and conclude the same preferably within six months from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J.)

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