

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4509 of 2017

Arising Out of PS.Case No. -5 Year- 2011 Thana -KAHAIYA District- MUZAFFARPUR

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Umesh Mahto (Husband), S/o Ramdeo Mahto, resident of Village- Sirsiya,
P.S.- Kathaiya, Dist- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Kathaiya P.S. Case No.
5/2011 instituted for the offence under Sections 304(B), 201, 34
of the Indian Penal Code.

The petitioner is the husband of the deceased.

From the impugned order of learned Sessions Judge,
it appears that other co-accused are facing trial vide Sessions Trial
Nos. 435/2011 and 586/2011 but this petitioner is not facing trial
since he has not surrendered earlier.

It is submitted that petitioner has surrendered on
18.11.2016.

It has further been submitted that a compromise
petition has been filed in the lower court.



Under such circumstances, at this stage, this court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is rejected.

The trial court is directed to expedite the trial of this petitioner along with other accused as early as possible by fixing short date in the case. The petitioner is given liberty to renew prayer for bail after nine months, if no substantive progress is made in the trial.

(Sanjay Priya, J)

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