

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3825 of 2017

Arising Out of PS.Case No. -248 Year- 2014 Thana -LAKHISARAI District- LAKHISARAI

1. Bholi Mahto
2. Madan Mahto @ Madan Mahton

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 22-03-2017 Heard both sides.

The petitioners seek bail in Lakhisarai P.S. case No. 248 of 2014, corresponding to Sessions Trial No. 10 of 2015, under Section 302/34 of the Indian Penal Code.

The learned counsel for the petitioners submits that prayer of petitioners for bail was earlier rejected by this court on the ground that petitioners have already been convicted in another case although there is no allegation of firing against the petitioners. The petitioners have again filed this petition for bail on the ground that trial has not yet been concluded and petitioners are in jail since 09.05.2014.

A report was called for from the court below and from the report, it appears that eight witnesses have already been examined and only doctor and I. O. are to be examined.



Considering the fact that the trial is at its fag end, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within three months from the date of receipt/ production of a copy of this order.

The Superintendent of Police, Lakhisarai is directed to ensure the attendance of remaining two prosecution witnesses of Lakhisarai P.S. case No. 248 of 2014, corresponding to Sessions Trial No. 10 of 2015, in the court of learned 2nd Additional Sessions Judge, Lakhisarai so that the trial must be concluded within three months.

Let a copy of this order be sent to learned trial court as well as Superintendent of Police, Lakhisarai for information and needful.

(Prabhat Kumar Jha, J)

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