

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33532 of 2016

Arising Out of PS.Case No. -39 Year- 2014 Thana -BIBHUTIPUR District- SAMASTIPUR

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Tuntun Mahto @ Tuntun Kumar Mahto, s/o Budhu Mahto, resident of
village-Khoksaha, PS- Bibhutipur, Dist-Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Bharti

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 17-01-2017 Heard learned counsel for the petitioner as well as

learned Addl. Public Prosecutor.

The application is for grant of bail in connection
with Bibhutipur PS case no. 39 of 2014 for the offence under
Sections 376 and other sections of the Indian Penal Code.

It is further submitted that six witnesses have
already been examined. So far on the merit of the case, it is
submitted that petitioner is not named in the FIR but lateron, on
the basis of suspicion and on the basis of statement of the sister of
deceased, his name transpires in this case and except that, there is
no allegation against the petitioner.

Heard learned A.P.P. also. Learned A.P.P. has
opposed the prayer for bail and submitted that trial is at
concluding stage.



Having heard both sides. Considering the fact that trial is likely to be concluded and already six witnesses have been examined, I am not inclined to grant bail to the petitioner at this stage. As such, his prayer for bail rejected. However, lower court is directed to expedite the trial and conclude the same within a period of 06 months.

With these observations, this bail application is dismissed.

(Vinod Kumar Sinha, J.)

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