

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2647 of 2017

Arising Out of PS.Case No. -490 Year- 2004 Thana – BARH (BELCHHI) District- PATNA

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Barkun Mahto @ Barkan Mahto, Son of Late Ram Saran Mahto, resident
of Village- Kabirchak, P.S. Belchhi, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 15-03-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 147, 148 of the Indian
Penal Code and Section 27 of the Arms Act.

Taking into consideration the previous conduct of
the petitioner as well as allegation levelled against him again, I am
not inclined to release the petitioner on bail and hence, his prayer
for bail in connection with Sessions Trial No. 301 of 2015 arising
out of Barh (Belchhi) P.S. Case No. 490 of 2004 pending in the
court of Additional Sessions Judge-IV, Barh, Patna stands
rejected.

However, the trial court has reported that charge



against the petitioner was framed on 01.10.2015 but up till now, not a single prosecution witness could be examined.

In the aforesaid circumstance, let a copy of this order be sent to A.S.P, Barh, Patna with direction to ensure the presence of prosecution witnesses of aforesaid case before the trial court within three months, failing which the matter shall be viewed seriously.

However, it is made clear that if the trial of the petitioner is not concluded within six months from the date of receipt/production of copy of this order, petitioner may renew his prayer for bail before the trial court itself.

(Hemant Kumar Srivastava, J)

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