

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14346 of 2017

Arising Out of PS.Case No. -76 Year- 2014 Thana -THAKRAHA District-
WESTCHAMPARAN(BETTIAH)

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Mangal Mushahar, son of Inar Musahar, resident Jamuniya, P.S.-
Thakaraha, District West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-04-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 302 of the Indian Penal Code.

Allegation against the petitioner is of committing
murder of the deceased by means of *Fasuli*.

Earlier the bail application of the petitioner was
rejected vide Annexure-1 to the present application with a
direction to the trial court to conclude the trial preferably within a
period of six months from the date of receipt/production of a copy
of this order. Further six months time was granted to the trial
court to conclude the trial vide order dated 29.06.2016 passed in
Cr. Misc. No. 21668 of 2016. This is the third attempt for bail on



behalf of the petitioner.

A report was called for from the trial court regarding the stage of the case. It has been reported that out of 12 prosecution witnesses, seven prosecution witnesses have already been examined and the trial is expected to be concluded within a period of six months.

Considering the fact that the trial is in progress, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in S.T. No. 147 of 2015, arising out of Thakaraha (Bhitaha) P.S. Case No. 76 of 2014, pending in the court of learned 2nd Additional Sessions Judge, Bagaha, West Champaran.

By way of last indulgence, the Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of a copy of this order.

The District Magistrate, Bagaha at West Champaran and the Superintendent of Police, Bagaha at West Champaran are directed to ensure that the remaining prosecution witnesses are produced in the court on the date fixed by the court below, so that the trial could be concluded within the stipulated period, as indicated by the court below.

Let a copy of this order be communicated to the District



Magistrate, Bagaha at West Champaran and the Superintendent of
Police, Bagaha at West Champaran.

(Sudhir Singh, J)

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