

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48993 of 2017

Arising Out of PS.Case No. -198 Year- 2010 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Prem Mukhiya, Son of Late Jamun Mukhiya, Resident of Village-
Hasuahan, P.S.- Motihari Muffasil, District- East Champaran

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shashi Bhushan Pandey, Adv.

For the Opposite Party : Mr. Satyavarat Verma, APP 171

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

5 06-12-2017

Heard both sides.

The petitioner seeks bail in Sessions Trial No. 351 of 2011 arising out of Motihari Muffasil P.S. Case No. 198 of 2010 registered under Section 302 and other section of the Indian Penal Code and 27 of the Arms Act.

The learned counsel for the petitioner submits that the prayer for bail of the petitioner was lastly rejected vide order, dated 08.03.2017, passed in Cr. Misc. No. 49813 of 2016 and the trial Court was directed to conclude the trial within two months, but, the trial has not yet been concluded.

A report was called for and from perusal of the report, it appears that the case is fixed for recording statement of the accused after closure of the prosecution witnesses, but, one of the co-accused, namely, Sukhal Mukhiya, did not appear and consequently his bail bond was cancelled and non-bailable warrant of arrest has also been issued against him.

Since, there is specific allegation that it was the petitioner who fired causing death of the son of the informant and



the trial is at the fag end, I am not inclined to enlarge the petitioner on bail.

Accordingly, the prayer for bail is **rejected**.

The trial Court is directed to separate the case of the petitioner from other absconding accused and conclude the same forthwith.

(Prabhat Kumar Jha, J)

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