

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19612 of 2017

Arising Out of PS.Case No. -101 Year- 2007 Thana -BARHARA District- PURNIA

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Binod Mahto Son of Late Akal Mahto, Resident of Village- Barhara Kothi,
Bind Toli, P.S.- Barhara, District- Purnia.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 21-06-2017 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 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Petitioner happens to be main assailant and earlier
his prayer for bail was rejected by this court but submission on
behalf of the petitioner is that the informant has not supported the
prosecution story in his deposition before the trial court.

The impugned order goes to show that trial of the
petitioner is pending only for examination of the investigating
officer.

Therefore, considering the stage of the trial as well



as facts of the case, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Sessions Trial No. 469 of 2015 arising out of Barhara P.S. Case No. 101 of 2007 pending in the court of 5th Additional Sessions Judge, Purnea stands rejected.

However, learned trial court is directed to expedite the trial of the petitioner and conclude the same within four months from the date of receipt/production of copy of this order.

Let a copy of this order be sent to Superintendent of Police, Purnea with direction to him to ensure the presence of investigating officer of aforesaid case before the court of 5th Additional Sessions Judge, Purnea in connection with Sessions Trial No. 469 of 2015 arising out of Barhara P.S. Case No. 101 of 2007 within a month from the date of receipt/production of copy of this order.

(Hemant Kumar Srivastava, J)

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