

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34909 of 2017

Arising Out of PS.Case No. -28 Year- 2015 Thana -MADHWAPUR District- MADHUBANI

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Shambhu Mahaseth, Son of Sri Gopal Mahaseth, R/o Village- Piraujar,
P.S.- Madhwapur, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 20-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is an accused in connection with
Madhwapur P.S. Case No. 28 of 2015, registered under Sections 147,
148, 149, 447, 341, 323, 504 and 364 of Indian Penal Code, pending in
the Court of Addl. Sessions Judge-VI, Madhubani.

Learned counsel appearing on behalf of the petitioner
submits that admittedly the prayer for bail of the petitioner was earlier
refused on 02.03.2016 passed in Criminal Miscellaneous No. 1562 of
2016 on merit taking into consideration the nature of allegation. The
petitioner is in custody since 13.07.2015 and the trial of the petitioner
has not concluded as yet.

A report, as called for, regarding the present stage of
trial, has been received from the Court of Addl. Sessions Judge-VI,
Madhubani vide Letter no. 134/2017, dated 5th August, 2017, which



disclosed that after framing of Charge on 23.02.2016, one witness has been examined out of six witnesses and he expected to conclude the trial within one year.

Under the above facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the application stands rejected.

However, trial Court is directed to conclude the trial within a period of six months and if the trial is not concluded within the aforesaid period, the petitioner would be at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J)

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