

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32949 of 2017

Arising Out of PS.Case No. -9 Year- 2015 Thana -KAHAIYA District- MUZAFFARPUR

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Awadh Mahto @ Awadh Kr. Mahto, S/o Bigu Mahto, Resident of Village-
Rampur Bheriyahi, P.S.- Kathaiya, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party : Mr. Yogendra Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 02-08-2017 Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner wants to renew his prayer of bail which was earlier twice rejected vide order dated 18.01.2016 and 08.02.2017 passed in Cri. Misc. No. 48246 of 2015 and Cr. Misc. No. 54572 of 2016, on the ground that the petitioner is suffering in custody since 04.03.2015, the trial has not been concluded within four months and up till now only nine prosecution witnesses have been examined out of eighteen prosecution witnesses and, as such, in near future the trial is not likely to be concluded.

The learned A.P.P. opposes the prayer of bail by submitting that against the petitioner there is allegation of assaulting the deceased with *Dab* on his neck and he is one of the



assailants.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer of the bail, again prayer of the bail of the petitioner stands rejected in S.Tr. No. 37 of 2016 arising out of Kathaiya P.S. Case No. 09 of 2015 (G.R. No. 399 of 2015) pending in the court of learned 12th Additional Sessions Judge, Muzaffarpur.

However, let the trial be expedited and concluded as early as possible, preferably within two months from the date of receipt/production of a copy of this order after taking the same on priority basis, failing which the petitioner, if at no fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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