

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43080 of 2018**

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1. MUTUR KUMAR @ MUTUR PRASAD @ MUTUR MAHTO S/o Late  
Deo Sharan Prasad, R/o Vill./Mohalla- Benar, P.S.- Sare, District- Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      18-07-2018      Earlier prayer for bail of the petitioner was dismissed vide order dated 06.11.2017 passed in Cr. Misc. No. 45198 of 2017 on merit, in connection with Sare P.S. Case No. 3 of 2017 for the offences punishable under Sections 304(B)/201/34, 447, 504 and 506 of the Indian Penal Code and Sections 3(1)(X) of the SC/ST Act.

Submission of learned counsel for the petitioner that seven witnesses have been examined in this case including informant and the mother of the victim and none of the witnesses have supported the case of prosecution and case is pending only for evidence of Doctor and Investigating Officer.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, I am not inclined to release the petitioner on bail rather this



application is disposed of with direction to the trial court to the trial within a period of three months.

At the same time, S.P. Nalanda is directed to ensure the production of I.O. and Doctor in the trial court on the date fixed.

It is made clear that if the trial is not concluded within the aforesaid period of three months and if the submission of learned counsel for the petitioner that all the witnesses have not supported the case of the prosecution is true, the trail court shall release the petitioner on bail to his own satisfaction.

**(Vinod Kumar Sinha, J)**

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