

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4718 of 2018

Arising Out of PS.Case No. -790 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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Guddu Kumar Mahto @ Guddu Kumar, S/o Badri Narayan Mahto,
resident of Village- Garha, P.S.- Laduniya, District- Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Verma

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 25-04-2018 Heard both sides.

The petitioner seeks bail in S.T. No.436 of 2017,
arising out of Ahiyapur P.S. Case No.790/2016, G.R. No.4995 of
2016, registered under Sections 395/397 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
prayer for bail of the petitioner was earlier rejected vide order
dated 20.06.2017 passed in Cr. Misc. No.19660 of 2017 but the
trial has not yet been concluded. Nothing has been recovered from
the possession of the petitioner. On the basis of confession of the
petitioner, looted articles was recovered from the house of
Ramdhani Mahto and for that the petitioner is in jail since
26.12.2016 i.e. for the last 16 months.

The report was called for from the 8th Additional
Sessions Judge, Muzaffarpur, who is in seisin of Sessions Trial
No. 436 of 2017, arising out of Ahiyapur P.S. Case No.790/2016



and the learned Additional Sessions Judge-8th, Muzaffarpur reported that the trial is still pending for evidence. It is a case of road robbery, in which, truck bearing registration no.PB13-AR-7991 was robbed and the petitioner was arrested and in pursuance of the confession of the petitioner, looted article was recovered from the house of Ramdhani Mahto.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected. The Trial Court is directed to hold the trial on day to day basis and conclude the same within 6 months from the date of receipt of this order.

The Senior Superintendent of Police, Muzaffarpur is also directed to ensure the attendance of the prosecution witnesses in the trial court in connection with S.T. No.436 of 2017, arising out of Ahiyapur P.S. Case No.790/2016, so that the trial must be concluded within 6 months. If the trial is not concluded within 6 months, the petitioner may renew his prayer for bail.

Let a copy of this order be sent to the Trial court as well as Senior Superintendent of Police, Muzaffarpur for information and needful.

(Prabhat Kumar Jha, J)

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