

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18504 of 2018

Arising Out of PS. Case No.-59 Year-2014 Thana- AADAPUR District- East Champaran

Brij Kishore Mahto @ Braj Kishore Mahto, S/o Late Indal Mahto, R/o
Village- Pithwa, P.S.- Jharokhar, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Smt. Sharda Kumari

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 04-04-2018 Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner wants to renew the prayer of bail which was earlier thrice rejected vide order dated 23.11.2015, 18.01.2017 and 18.10.2017 passed in Cri. Misc. No. 34799 of 2015, Cr. Misc. No. 1023 of 2017 and Cr. Misc. No. 49070 of 2017 receptively on the ground that the petitioner is suffering in custody since 04.09.2014 and the alleged recovery of robbed amount is not from the conscious possession of the petitioner and up till now only four prosecution witnesses have been examined and, as such, in near future the trial is not likely to be concluded. There was direction to conclude the trial within four months but no prosecution witness has been examined during



that period and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

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 connection with Sessions Trial No. 644 of 2015 arising out of Adapur P.S. Case No. 59 of 2014 pending in the court of learned Additional Sessions Judge-12th , East Champaran at Motihari.

However, the learned trial Court is again directed to expedite the trial and conclude the same preferably within two months, from date of receipt/production of a copy of this order, failing which if the petitioner at no fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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