

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40657 of 2018

Arising Out of P.S.Case No. -59 Year- 2014 Thana -AADAPUR District- EASTCHAMPARAN
(MOTIHARI)

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

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 25-07-2018 Heard learned counsel for the petitioner, learned counsel
for the informant and learned counsel for the APP.

The petitioner is in custody 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 Additional Sessions Judge-12, East
Champaran at Motihari registered for an offence under Sections
392, 302 and 120B of the IPC and Section 27 of the Arms Act.

It appears that this is the 5th attempt for prayer for bail of
the petitioner. A report was called for from the court below which
shows that the case was pending in vacant Court and, as such, only
four witnesses have been examined. The court below has
requested the Sessions Judge to transfer the said case to any other
Court. The case is pending for evidence of investigating officer,



doctor and few more witnesses.

In the facts and circumstances of the case, I am not inclined to reconsider the prayer for bail of the petitioner. Prayer is again rejected. The learned District Judge, Motihari is directed to transfer the case in any competent Court to try the case.

(Sanjay Kumar, J)

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