

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64644 of 2018

Arising Out of PS. Case No.-159 Year-2017 Thana- BITHAN BAZAR District- Samastipur

ANIL KUMAR @ ANIL MAHTO @ ANIL KUMAR MAHTO, son of
Bindeshwari Mahto, resident of village- Pusaho, P.S. Bithan, Distt.-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhubneshwar Prasad, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 17-12-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Bithan P.S. Case No.159 of 2017** instituted for the offence under Section(s) 302/34, 120-B Indian Penal Code and Section 27 of the Arms Act pending in the Court of the **Additional District & Sessions Judge, Rosera, Samastipur.**

Prayer of the petitioner for bail was earlier rejected by co-ordinate Bench of this Court by order dated 09.03.2018 passed in Cr. Misc. No.13954 of 2018.

Counsel for the petitioner submits that one of the accused has already been granted bail by co-ordinate Bench of this Court by order dated 28.08.2018 passed in Cr. Misc. No.37143 of 2018.



In the written report, it is alleged that petitioner along with Pankaj Kumar and Sonu Mahto have fired at his brother, who subsequently died.

A report with regard to present stage of the case was called for, which has been received. It is mentioned in the report that five witnesses out of seven witnesses have already been examined in the case. It is further submitted that a report has already been sent in Cr. Misc. No.10493 of 2018 on 06.10.2018 in which six months' time was granted for conclusion of trial.

In such circumstances, this Court is not inclined to enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is **rejected**.

Liberty is given to the petitioner to renew his prayer after six months if trial is not concluded in the Court below in terms of direction given in Cr. Misc. No.10493 of 2018.

The Trial Court will expedite the trial by giving short adjournments and make all efforts to conclude the same within the aforesaid period. The Trial Court will send compliance report to this Court after conclusion of trial.

(Sanjay Priya, J)

J. Alam/-

U		T	
---	--	---	--

