

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26532 of 2019**

Arising Out of PS. Case No.-22 Year-2013 Thana- KATHAIYA District- Muzaffarpur

Sipahi Mahto, S/o Darshan Mahto, R/o village Saghanpura, P.S.- Kathaiya,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh , Advocate.

For the Opposite Party/s : Mr. Dashrath Mehta (APP)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 03-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with
Sessions Trial No. 16 of 2017 arising out of Kathaiya P.S. Case
No. 22 of 2013 registered under Sections 147, 148, 149, 341,
323, 324, 379, 302 and 120(B) of the Indian Penal Code,
pending in the court of 7th Additional Sessions Judge,
Muzaffarpur.

Learned counsel for the petitioner submits that
the prayer for bail of the petitioner was earlier rejected twice on
merit, lastly, on 02.05.2018 passed in Cr. Misc. No. 21138 of
2018 and the petitioner is in custody since 02.04.2016.

A report regarding the present stage of trial has been



received through letter no. 28 dated 23.05.2019, from the court of 5th Additional Sessions Judge, Muzaffarpur, which shows that while the charge was framed on 05.05.2018 but not a single witness has been examined due to non-production of the prosecution witnesses.

Having considered the facts and circumstances of the case, I find no ground to reconsider the prayer for bail of the petitioner. Accordingly, the prayer for bail of the petitioner is rejected. However, the trial court is directed to conclude the trial of the petitioner within one year by taking all effective steps. If the trial of the petitioner is not concluded within aforesaid period of one year, the petitioner would be at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J)

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