

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 63788 of 2019**

Arising Out of PS. Case No.-55 Year-2017 Thana- KASIMBAZAR District- Munger

DILIP MAHTO Son of Tarkeshwar Mahto Resident of Village-Shivnagar,
P.S.-Kasim Bazar, District-Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Choudhary
For the Opposite Party/s : Mr.Anant Kumar 1

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 11-12-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Kasim Bazar PS case no. 55 of 2017 instituted for the
offences punishable under Sections 307/34 of Indian Penal Code
and 27 of Arms Act.

This is a third attempt at the behest of the petitioner
for grant of regular bail, inasmuch as the earlier bail petitions of
the petitioner have been rejected by this Court vide orders dated
29.03.2018 and 14.12.2018 passed in Cr. Misc. no. 10035 of 2018
and Cr. Misc. no. 68645 of 2018 respectively.

The allegation levelled against the petitioner is of
firing gun shorts on the informant resulting in the informant
receiving injuries.



The learned counsel for the petitioner has submitted that though the trial has been expedited but the same has not been concluded and since this Court had granted liberty vide order dated 14.12.2018 to renew the prayer for bail after expiry of six months, the petitioner should be granted the privilege of bail.

This Court finds that by an order dated 29.03.2018, a co-ordinate Bench of this Court, while rejecting the prayer for bail of the petitioner, had directed the trial court to expedite the trial. Thereafter, vide order dated 14.12.2018, again the prayer of the petitioner for grant of regular bail was rejected, however in view of the report of the learned 1st Additional Sessions Judge, Munger to the effect that the trial is likely to be concluded within a period of four months, this Court had granted liberty to the petitioner to renew his prayer for bail after expiry of six months.

A report was called for by this Court in pursuance whereof, the learned 1st Additional District and Sessions Judge, Munger vide letter dated 23.10.2019 has submitted a report stating therein that seven witnesses have already been examined on behalf of the prosecution, after framing of the charges, and the case is pending for recording evidence of the investigating officer and efforts will be made to complete the trial within a period of two months.



Considering the facts and circumstances of the case as also the fact that the trial is almost near completion, I do not find any reason to grant bail to the petitioner herein at the moment, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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