

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8032 of 2020

Arising Out of PS. Case No.-127 Year-2016 Thana- JAGDISHPUR District- Bhojpur

CHUNNU MAHTO, aged about 28 years, Male, Son of Shivraj Singh,
Resident of Village- Purab Muhala Jagdishpur, P.S.- Jagdishpur, District-
Bhojpur (Bihar).

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Bindhyakeshari Pd. Singh, Sr. Advocate and Mr. Birendra Kumar Singh, Advocate.
For the Informant	:	Mr. Binay Kumar Pandey, Advocate.
For the State	:	Mr. Vinod Shanker Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-09-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned senior counsel for the petitioner,
learned A.P.P. for the State and learned counsel for the
informant.

The petitioner seeks bail in a case for the offence
registered under Sections 302, 120(B) of the I.P.C. and 27 of the
Arms Act.

The prosecution story, in brief, is that the petitioner
and one other co-accused person fired on the deceased resulting



his death.

Earlier bail applications of the petitioner were rejected vide Cr. Misc. No. 41818 of 2017 under order dated 11.09.2017, Cr. Misc. No. 61214 of 2018 under order dated 03.10.2018 and Cr. Misc. No. 31605 of 2019 under order dated 20.06.2019 taking into account that the petitioner is one of the assailants of the deceased, annexed as Annexure-1 series to the present application.

This is fourth attempt on behalf of the petitioner for grant of bail.

A report was called for from the learned court below regarding the stage of the present case. It has been reported that all the prosecution witnesses have been examined except for the Investigating Officer and the Doctor. Due to Covid-19 and the lockdown, the trial is pending. Once the normalcy is restored, within a period of three months, trial is likely to be concluded.

Considering the nature of allegation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Jagdishpur P.S. Case No. 127 of 2016, pending in the court of learned Chief Judicial Magistrate, Bhojpur at Ara.

The learned court below is directed to conclude the



trial at the earliest.

The District Magistrate, Bhojpur at Ara, the Superintendent of Police, Bhojpur at Ara and the Civil Surgeon, Bhojpur at Ara are also directed to ensure that the official witnesses are produced in the court below on the date fixed by the learned court below.

Let a copy of this order be communicated to the District Magistrate, Bhojpur at Ara, the Superintendent of Police, Bhojpur at Ara and the Civil Surgeon, Bhojpur at Ara.

(Sudhir Singh, J)

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