

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57334 of 2019**

Arising Out of PS. Case No.-24 Year-2019 Thana- BALIYA District- Begusarai

SURENDRA MAHTO @ SULO MAHTO @ SULO MAHTON Son of Late  
Viro Mahto Resident of Village - Kishunpur, P.S.- Balia, Distt - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Prem Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

5      06-02-2020

Heard the parties.

This application is for grant of regular bail in connection with Baliya P.S.Case no.24 of 2019 for the offences under Sections 120(B) of the Indian Penal Code and Section 25 (1-AA)/25(1-B)a/26 and 35 of the Arms Act.

Allegation against the petitioner is about recovery of police rifle and 12 cartridges from the possession of the petitioner and apart from that he is accused in two other cases.

Submission of the learned counsel for the petitioner is that in other cases he is on bail and in connection with this case he is in custody for more than one year and still trial has not commenced.

Heard learned A.P.P. and perused the report submitted by the learned trial court, from which it appears that



the case is still pending for appearance of other accused persons.

Having heard both sides and considering the allegations, I am not inclined to grant bail to the petitioner at this stage, however, the learned trial court is directed that since the petitioner is in custody for one year, case of the petitioner be separated and proceed with the trial on regular basis, however, if the trial is not concluded within the period of six months from the date of receipt of the order, petitioner is at liberty to renew his prayer for bail.

With the aforesaid observation, this application is dismissed.

**(Vinod Kumar Sinha, J)**

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