

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4073 of 2020

Arising Out of PS. Case No.-248 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

JAGDISH MAHTO Son of Jagarnath Mahto Resident of Village - Bakhari,
P.S.- Baikunthpur, Distt - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 29-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsel for the petitioner, informant and the State.

The petitioner has renewed his prayer for bail in a case registered for the offences punishable under Sections 302/34 of the IPC.

The prosecution case, as per the fardbeyan of Raman Kumar Mahto, recorded by S.I., Bageshwari Tiwari, Baikunthpur Police Station, on 21.09.2018 at 10.35 A.M., is to the effect that on 20.09.2018 at about 7.30 P.M., the father of the informant was sitting in the cattle shed, in the meantime, the petitioner Jagdish Mahto and his two sons, namely, Deepak Mahto and Ranjan Mahto came and started abusing him and also made assault on his head. On information being received,



when the informant came then his father conveyed him that the petitioner Jagdish Mahto assaulted him with knife whereas his two sons also assaulted him with lathi, danda and fists. Subsequently, the father of the informant was taken to the hospital, but on the way, the father of the informant succumbed to the injuries.

It is submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 25.09.2018. Earlier prayer for bail of the petitioner was rejected by a Co-ordinate bench of this Court, vide order dated 06.02.2019, passed in Cr. Misc. No. 253 of 2019, wherein after perusal of the case diary, it was recorded that though the skull bone of the victim was found fractured, but the injury was found to be caused by hard and blunt substances, whereas the petitioner is alleged to have assaulted with a knife.

Learned counsel for the informant and the State submits that the trial is at the fag end as all the witnesses, except the doctor, have already been examined.

Considering the nature of accusation levelled against the petitioner and the present stage of trial, this Court is not inclined to revise the earlier order.

Accordingly, the prayer for bail of the petitioner, in



connection with Baikunthpur P.S. Case No. 248 of 2018,
pending in the Court of learned Additional Sessions Judge, 5th
Gopalganj, is rejected.

However, it is expected from the learned trial court to
conclude the trial within four months of resumption of
functioning of the court in physical mode.

Let the order be transmitted through e-mail.

The present application is dismissed.

(Dinesh Kumar Singh, J)

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