

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86228 of 2019

Arising Out of PS. Case No.-111 Year-2016 Thana- HATHAURI District- Muzaffarpur

MAHESH SAHANI @ MAHESH SAHNI Son of Late Kishori Sahni
Resident of Village - Narmadhi, P.S.- Hathauri, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 23-06-2020 Heard the learned counsel for the petitioner and
Shri Bal Mukund Prasad Sinha, the learned APP for the State.

The present petition is by way of ^{3rd} attempt at the behest of the petitioner for grant of regular bail inasmuch as the first petition was dismissed on account of non-prosecution by an order dated 12.04.2018 passed in Cr. Misc. No. 11294 of 2018, whereafter the petitioner had again approached this Court by filing another petition for grant of bail bearing Cr. Misc. No.68960 of 2018 in connection with Hathauri P.S. Case No. 111 of 2016 for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 302 of the Indian Penal Code and section 27 of the Arms Act, however, the same was dismissed as withdrawn by order dated 09.01.2019 passed by this Court with liberty to the petitioner to renew his prayer for bail after nine months. Accordingly, the present petition has been filed for grant of



regular bail.

This Court had called for a report from the learned court below regarding the present stage of the case, in pursuance whereof the learned 1st Additional Sessions Judge, Muzaffarpur has submitted a report dated 15.02.2020, wherein it has been stated that the case is pending for defence evidence and the trial is likely to be completed within a period of four months.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the fact that the trial is pending for defence evidence, as such there is no delay qua the prosecution and moreover, the learned counsel for the petitioner has not been able to demonstrate any change in circumstances so as to warrant reconsideration of the prayer for regular bail of the petitioner, apart from the fact that grievous and heinous allegation has been levelled against the petitioner of having killed the deceased, I do not find any reason to reconsider the prayer of the petitioner for grant of regular bail, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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