

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12811 of 2020

Arising Out of PS. Case No.-315 Year-2018 Thana- KOTWALI District- Munger

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FANIKANT MANDAL Son of Late Doman Mandal R/o Mohalla -
Dilawarpur Bara, P.S.- Kotwali, District - Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dinesh Kumar Gupta, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 03-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has renewed his prayer for bail in connection with Kotwali P.S. Case no. 315 of 2018 registered under section 341, 342, 324, 307 and 34 of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per allegation in the first information report, while the wife of the petitioner poured petrol on the body of the informant, it is stated that the petitioner lit the matchstick as a result of which the informant sustained burn injuries and subsequently died in course of treatment.

It is submitted by learned counsel for the petitioner that inspite of the petitioner being in custody since 11.8.2018, there is no chance of the trial coming to an end in near future. It



is submitted that earlier application for bail of the petitioner was rejected vide order dated 09.8.2019 passed in Cr. Misc. No. 20553 of 2019.

The application for bail is opposed by learned A.P.P. for the State.

A report was called for with respect to the stage of the trial from the learned court below from which it transpires that 8 prosecution witnesses out of total 11 chargesheeted witnesses have been examined. The report further states that against the order of learned court below allowing one of the sons of the deceased informant to be examined as a prosecution witness, it is the defense who has preferred an application before the High Court and as such the delay. Only 3 prosecution witnesses remained to be examined.

Having heard learned counsel for the parties and in view of the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the same is rejected.

(Partha Sarthy, J)

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