

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27840 of 2021

Arising Out of PS. Case No.-11 Year-2004 Thana- DALSINGHSARAI District- Samastipur

Jagdish Mahto @ Jagdish Mehta, Son Of Ram Prasad Mehta Resident of
Village - Malpur, P.S.- Dalsingh Sarai, Distt.- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-10-2021 Heard learned counsel for the petitioner and Aditya
Narayan Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Dalsingsarai P.S. Case No. 11 of 2004 registered for the offence under Sections 147, 148, 149, 353, 440, 427, 333, 379, 290, 228, 307 and 431 of the Indian Penal Code. He is in custody since 04.05.2019.

As per the prosecution story, the informant, who is the S.H.O. of the Dalsingsarai Police Station, got information that a person has been killed in family dispute in village Malpur, Dalsingsarai. On this information, when he reached with other police officials near Braham Asthan, several people gathered and started abusing the police, attacked them and was trying to snatch the arms of the police, anyhow the police party controlled the situation.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that petitioner is a poor landless person and he is in custody since 04.05.2019 having no criminal antecedent as stated in paragraph '3' of the application.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the materials showing that in this case the petitioner was absconding for about 15 years after submission of the charge-sheet and has been arrested only on 04.05.2019 after a permanent warrant was issued against him on 22.09.2017 declaring him proclaimed offender, this Court is not inclined to release the petitioner on bail at this stage.

Prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

If the trial remains unconcluded within a period of nine months from the date of communication of this order, the petitioner may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

