

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 36327 of 2021

Arising Out of PS. Case No.-41 Year-2020 Thana- DORIGANJ District- Saran

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1. Sunil Mahto, aged about 31 years, Male Son of Asharfi Mahto.
 2. Birendra Mahto, aged about 19 years, Male, Son of Asharfi Mahto.
Both resident of Village - Bhairapur, PS- Doriganj, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Sinha, Advocate
For the State	:	Mr. Ramchandra Singh, APP
For the Informant	:	Mr. Anjani Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 29-09-2021

Heard Mr. Binod Kumar Sinha, learned counsel for the petitioners; Mr. Ramchandra Singh, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State and Mr. Anjani Kumar Jha, learned counsel for the informant.

2. The petitioners are in custody in connection with Doriganj PS Case No. 41 of 2020 dated 01.04.2020, instituted under Sections 341, 323, 324, 307, 147, 148 and 149 of the Indian Penal Code, 1860.

3. This is the second attempt for bail by the petitioners as earlier such prayer was rejected by judgment and order dated 13.08.2020 passed in Cr. Misc. No. 22076 of 2020.



4. The allegation against the petitioners and four others is of attack by *knife, lathi, danda* and brickbats on the informant and his mother resulting in injuries.

5. Earlier, the Court had called for a report from the Court below with regard to the stage of trial and likely time by which it can be concluded. In terms thereof, report dated 06.09.2021 has been received from the Additional Sessions Judge, XI, Saran at Chapra stating that the trial is likely to be completed within six months.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties and also what has been recorded in the last order of rejection, the Court does not find any mitigating circumstances to reconsider the prayer for bail to the petitioners.

7. Accordingly, the petition stands dismissed.

8. However, in view of the report of the trial Court, let the trial be concluded expeditiously and latest within six months from the date of communication of this order.

(Ahsanuddin Amanullah, J.)

P. Kumar

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