

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24070 of 2020**

Arising Out of PS. Case No.-55 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

=====

SANTOSH MAHTO @ SANTOSH KUMAR MAHTO S/o Rambilas Mahto
@ Rambilas Mandal Resident of Village- Muriya, P.S.- Sadar, Distt-
Darbhanga.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

=====

Appearance :

For the Petitioner	:	Mr. Vinay Kumar Mishra, Advocate.
For the State	:	Mr. Shyam Kumar Singh, A.P.P.
For the Informant	:	Mr. Gagan Deo Yadav, Advocate.

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 28-07-2021 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

informant, through Video Conferencing.

The petitioner seeks bail in connection with Sadar
(Bhalpatti O.P.) P.S. Case No.55 of 2019 (S.T. No.317 of 2019)
registered under Sections 304B/34 of the Indian Penal Code,
pending in the court of the Fast Track Court-II, Darbhanga.

Learned counsel appearing on behalf of the
petitioner submits that the petitioner is the husband of the
deceased. Earlier, while the prayer of the petitioner for grant of
bail was rejected by this Court on merit vide order dated
18.12.2019 passed in Criminal Misc. No.76923 of 2019 and the



petitioner is in custody since 19.03.2019, i.e., for more than two years and four months, but the trial of the petitioner has not been concluded as yet as after framing of the charge in the case on 06.02.2020, not a single prosecution witness has been examined in the case and there is no chance of conclusion of the trial of the petitioner in near future due to Pandemic COVID-2019.

Having regard to the facts and the circumstances of the case and the nature of allegation against the petitioner and also considering that, earlier, the prayer of the petitioner for grant of bail has already been rejected by this Court on merit vide order dated 18.12.2019 passed in Criminal Misc. No.76923 of 2019, I am not inclined to reconsider the prayer of the petitioner for grant of bail. Accordingly, the prayer of the petitioner for grant of bail is again rejected. However, if the trial of the petitioner is not concluded within a period of four months, the petitioner would be at liberty to renew his prayer for bail after the period of four months.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

