

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32228 of 2021

Arising Out of PS. Case No.-1 Year-2016 Thana- DORIGANJ District- Saran

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MUKESH PATEL @ VISHAL JEE @ VISHAL @ RAHUL JEE @ RAHUL
S/O SURENDRA PATEL R/O VILLAGE-SUBHAIGARH, P.S.-
RUNNISAIDPUR, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 22-03-2022 Heard learned counsel for the parties.

Petitioner has renewed his prayer for bail in connection with S. Tr. No. 12 of 2019 arising out of Doriganj PS Case No. 01 of 2016 registered for the offence under Sections 387 / 427 / 506 / 120 (B) of the IPC, Section 3 / 4 / 5 of Explosive Substances Act , Section 17 of C.L.A. Act , Section 10 , 13, 16, 17, 18 and 20 of U.A.P. Act inasmuch as earlier bail application of the petitioner was rejected by a Co-ordinate Bench of this court in Cr. Misc. No. 20245 of 2019.

As per the prosecution case the accused persons demanded extortion money from a construction company carrying out public work in the area where the petitioner has



been carrying out anti national activities. The name of the petitioner has come on the basis of confessional statement of the co-accused / Dilip Manjhi and the petitioner and other accused persons are said to be member of naxalite group and are commonly called as “*Maowadi*”. Five criminal antecedent is also there against the petitioner.

This court vide its order dated 16-12-2021 had called for a report from the learned trial court regarding the progress of the trial and in pursuance thereof learned Additional Sessions Judge X, Saran at Chapra vide letter no. 191 dated 12/01/2022 has furnished the report and from perusal of the same it appears that 10 charge sheet witnesses are there in this case and none of them has been examined however the court below has given the estimated time for conclusion of the trial within a period of six months.

Since bail application of the petitioner was rejected earlier on its merit and the petitioner is having criminal antecedent, as such, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly the prayer for grant of bail is rejected.

However, taking into consideration the fact that the petitioner is in custody for about 4½ years since 23-5-2018 ,



liberty is given to the petitioner to renew his prayer for bail after
six months from today if the trial does not show any progress.

(Anil Kumar Sinha, J)

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