

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28128 of 2022

Arising Out of PS. Case No.-107 Year-2019 Thana- KANHAULI District- Sitamarhi

VIJAY MAHTO Son of Tildhari Mahto Resident of village - Araria, P.S.-
Kanhauli, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr. Adv.
		Mr. Arjun Prasad, Adv.
For the Opposite Party/s :		Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 31-08-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the three named accused persons including the petitioner herein as also 2-3 others are said to have fired killing the son of the informant.

It is submitted by learned Senior counsel appearing for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 10.8.2021 directing the learned trial court to expedite the trial. In spite of the petitioner having remained in custody since 1.7.2020, there is no chance of the trial concluding in the near future. Even charge has not been



framed.

A report was called for from the learned trial court. As per the report received contained in letter dated 5.8.2022 of the Judicial Magistrate 1st Class, Sitamarhi, cognizance was taken on 4.8.2021 and now the case is pending for appearance of the accused. Process under section 82 Cr.P.C. has been resorted to for appearance of accused Manish Mahto.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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