

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42551 of 2021

Arising Out of PS. Case No.-46 Year-2017 Thana- KUDHNI District- Muzaffarpur

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DILIP MAHTO @ DILIP KUMAR Son of Late Girbal Mahto Resident of
Village - Pakahi, P.S. - Maniyari, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Satyadeo Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-03-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kudhni P.S. Case No. 46 of 2017 arising out of S.T. No. 717 of
2017 for the offence registered under Sections 304(B), 201,
302/34 of the Indian Penal Code.

Perused the report submitted by the learned court of
Additional Sessions Judge-2nd, Muzaffarpur dated 21.01.2022
wherein it has been submitted that the trial is likely to be
concluded within a period of four months.

This Court has also perused the order dated
13.03.2019 passed by a coordinate Bench of this Court on the
earlier bail petition preferred by the petitioner i.e. in Criminal
Misc. No. 12587 of 2019, wherein not only the trial court was
directed to expedite the trial and conclude the same as early as



possible but the Superintendent of Police, Muzaffarpur was also directed to ensure production of the witnesses in the trial court on the date so fixed so that the trial can be concluded expeditiously. However, it appears from the report submitted by the learned court of Additional Sessions Judge-2nd, Muzaffarpur dated 21.01.2022 that still the witnesses are not being produced which is a serious matter and in teeth of the order of the Hon'ble Patna High Court dated 13.03.2019 passed in Criminal Misc. No. 12587 of 2019.

In such view of the matter, the learned trial court is directed to conclude the trial expeditiously, in any case not later than a period of six months from today. Simultaneously, the Superintendent of Police, Muzaffarpur is warned that in case the witnesses are not produced forthwith, serious action may be taken against him for disobedience of the orders of this Court, moreso in case the trial is not concluded within six months from today, in the event of non-production of the remaining witnesses.

Having regard to the directions passed by this Court, herein-above, the learned counsel for the petitioner seeks not to press the present petition, however, seeks liberty to renew his prayer for bail after completion of six months from today.



Accordingly, the present petition stands disposed off as not pressed, however with the aforesaid directions and liberty to the petitioner to renew his prayer for bail immediately upon completion of six months from today, in case the trial is not concluded.

Let a copy of this order be transmitted to the trial court as also to the Senior Superintendent of Police, Muzaffarpur forthwith.

(Mohit Kumar Shah, J)

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