

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51045 of 2021

Arising Out of PS. Case No.-141 Year-2017 Thana- PHULPARAS District- Madhubani

Santosh Kumar @ Santosh Kumar Mandal, Son of Hari Lal Mandal Resident
of Village- Ekahara, P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-02-2022 Heard learned counsel for the petitioner and Shri
Pranav Kumar, learned A.P.P. for the State.

In compliance of the order dated 03.02.2022, a report has been received from the learned court below vide Letter No. 87 dated 15.02.2022 issued by the learned District and Sessions Judge, Madhubani and from perusal of the same, it manifests that there is only one Court of A.D.J. functioning at Sub-Divisional Civil Courts, Jhanjharpur apart from the Exclusive Special Court for Excise Act and in the light of direction of the Hon'ble Court, Judicial powers of the present incumbent of A.D.J. Court has been divested.

This is the third attempt of the petitioner to seek bail in connection with Phulparas P.S. Case No. 141 of 2017 instituted for the offences under Sections 304(B), 207, 120(B) and 34 of the Indian Penal Code.



Learned counsel for the petitioner submits that earlier petitioner's bail was rejected vide order dated 31.01.2019 in Cr. Misc. No. 69068 of 2018 and thereafter vide order dated 23.11.2020 in Cr. Misc. No. 67959 of 2019 and vide order dated 23.11.2020, the learned court below was directed to conclude the trial preferably within one year from the date of receipt/production of a copy of the order. Learned counsel submits that till now only one witness has been examined and that too on 25.06.2019 and thereafter no witness has been examined till date. Learned counsel further submits that petitioner is in custody since 03.01.2018.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the period of custody of the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 141 of 2017.

(Satyavrat Verma, J)

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