

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70846 of 2021

Arising Out of PS. Case No.-2 Year-2020 Thana- BASANHI District- Saharsa

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MUKESH MANDAL SON OF LATE GUCHO MANDAL @
GUNJESHWAR MANDAL R/O VILLAGE- DOTARA, WARD NO -13, P.S-
BASANAHI, DIST- SAHARSA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 23-03-2022 Heard Mr. Sanjay Kumar, learned Advocate for the
petitioner and Mr. Dilip Kumar No. 1 for the State.

The prayer for bail of the petitioner was earlier
rejected vide order dated 02.02.2021 passed in Cr. Misc. No.
33411 of 2020 giving liberty to the petitioner to approach the
trial court in the event of the trial not being concluded within a
period of nine months.

The petitioner moved before the court below after the
passage of nine months but again the prayer for bail was
rejected.

This Court had, on 12.01.2022, called for a report
from the court below about the present stage of the case. The
report dated 25.01.2022 has since been received.



It appears that charges in this case were framed on 05.10.2021 and till the date of sending the report, only one prosecution witness had been examined.

Mr. Kumar, learned Advocate for the petitioner has submitted that but for the informant, every other person who has supported the prosecution version is a hearsay witness. Some of the independent persons have also not stated anything incriminating against the petitioner.

Be that as it may, considering the nature of accusation against the petitioner, I am not inclined to grant bail to him for the present, notwithstanding the fact that he is in custody since 26.02.2020.

The prayer for bail is rejected.

However, looking at the period of custody of the petitioner, this Court directs that the trial be expedited and concluded positively within a period of six months, failing which the petitioner shall have the liberty to approach this Court again for grant of bail.

(Ashutosh Kumar, J)

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