

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11790 of 2023

Arising Out of PS. Case No.-125 Year-2020 Thana- NAUHATTA District- Saharsa

1. CHHOTAKAN MISTRY S/O LATE SUKAN MISTRY Resident of Village- Shahpur Ward No.8, P.S.- Nauhatta, District- Saharsa.
2. JAGARNATH MISTRY S/O SATYA NARAYAN MISTRY @ NARAYAN MISTRY @ SATYANARAYAN MISTRI Resident of Village- Shahpur Ward No.8, P.S.- Nauhatta, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amarnath Jha, Advocate
For the Opposite Party/s	:	Mr.Mithlesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 12-04-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek regular bail in connection with Nauhatta P.S. Case No. 125 of 2020, registered for the offence punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code and subsequently Section 302 of I.P.C. was added, pending in the Court of learned District and Sessions Judge, Saharsa.

3. Learned counsel appearing on behalf of petitioners submitted that the prayer for grant of bail to the petitioners has been rejected by this Court vide order dated 14.12.2021 passed in Criminal Miscellaneous No. 21241 of 2021. The petitioners



are in custody since 12.08.2020.

4. A report was called for regarding stage of the trial from the learned Court below and in compliance of the same, the learned District & Sessions Judge, Saharsa vide letter No. 1984, dated 01.04.2023 informed that out of ten prosecution witnesses, four witnesses have been examined and summons against the remaining witnesses have already been issued. The trial has proceeded considerably.

5. Considering the facts and circumstances of the case as well as the fact that petitioner is facing trial for offence allegedly to have been committed under Section 302 of the Indian Penal Code, I am not inclined to enlarge the petitioners on bail, at this stage. Accordingly, the prayer for grant of regular bail is rejected.

6. However, the learned trial Court is directed to conclude the trial expeditiously. The Superintendent of Police, Saharsa is directed to produce the prosecution witnesses on each and every date fixed by the learned trial Court.

7. With above observation, the application filed on behalf of the petitioner stands disposed of.

(Purnendu Singh, J)

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