

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25411 of 2023**

Arising Out of PS. Case No.-201 Year-2020 Thana- JAMOBABAZAR District- Siwan

LAL MOHAN KUMAR MAHTO S/O CHANDESHWAR MAHTO Resident  
of Village- Khushiha Dumari, P.S.- Jamo Bazar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Bardhan Pandey, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      03-05-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks bail in connection with Jamo Bazar P.S. Case No. 201 of 2020 registered for the offences punishable under Sections 302 and 379 of the Indian Penal Code.

This is the third attempt of the petitioner to seek bail as earlier by order dated 23.11.2021 in Criminal Miscellaneous No. 27734 of 2021, the bail application of the petitioner was rejected, thereafter, again by order dated 22.06.2022 in Criminal Miscellaneous No. 26347 of 2022 his bail application was rejected

Learned counsel for the petitioner submits that out of 10 prosecution witnesses, five prosecution witnesses have been



examined and all the prosecution witnesses have turned hostile.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that since the trial has commenced and already five witnesses have been examined, as such it would not be prudent to release the petitioner on bail for the present.

**Considering the submission made by the learned A.P.P for the State, the Court is not inclined to release the petitioner on bail.**

However, the petitioner would be at liberty to renew his prayer for bail, in the event, if the trial is not concluded within a period of nine months from the date of receipt/production of a copy of this order for no fault of the petitioner.

The petitioner would be at liberty to renew his prayer for bail, in terms of the direction aforesaid before the learned Trial Court.

**(Satyavrat Verma, J)**

Rishabh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

