

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.33904 of 2023

Arising Out of PS. Case No.-601 Year-2016 Thana- KANKARBAG District- Patna

MANOJ MANDAL @ RAM KRIPAL MANDAL @ RAM KUMAR
MANDAL S/o of Vyas Mandal @ Rameshwar Mandal Resident of Village-
Sarsopahi, P.S.- Sarsopahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritambhara Kumari, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

5 13-12-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with S.Tr. no. 52 of 2019 (arising out of Kankarbag P.S. Case no.601 of 2016) registered under sections 307, 324, 504 and 506 of the Indian Penal Code to which sections 302 and 34 of the Indian Penal Code was added subsequently.

3. As per the prosecution case, the informant states that while he was sleeping in his house, the petitioner and one another poured petrol on him on which he woke up. Thereafter the petitioner who happens to be his brother-in-law (sister's husband) lit him up with a match stick, as a result of which he sustained burn injuries. The accused escaped.



4. It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 20.8.2019 and 7.7.2021, copies of which have been brought on record as Annexure-1 series.

5. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. In spite of being in custody since 16.5.2018 and cooperating in the trial, the trial has still not concluded. The petitioner has no criminal antecedent.

6. Heard learned A.P.P. for the State.

7. A report was called for from the learned trial Court. As per the report received contained in letter dated 7.12.2023 from the Additional District and Sessions Judge-IV, Patna, all witnesses have been examined and prosecution evidence has been closed. The case is fixed for statement of accused under section 313 Cr.P.C

8. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR and the progress in the trial in the learned trial Court wherein the prosecution evidence has been closed, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



9. Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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