

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33268 of 2022

Arising Out of PS. Case No.-193 Year-2018 Thana- PUNPUN District- Patna

Mumtaj @ Mumtaj Ansari @ Teni Mian, Son of Mannu Mian @ Munna Mian
@ Mushu Mian, Resident of Village - Shahid Nagar, P.S.- Dhanarua, Distt.-
Patna, Present Address - Resident of Dumri, P.S.- Punpun, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 10-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner in this case has renewed his prayer for bail in connection with S.Tr. No. 417 of 2020 arising out of Punpun P.S. Case No. 193 of 2018 registered for the offences under Sections 302/120(B)/34 of the Indian Penal Code. He is in custody since 25.08.2020. He has got two criminal antecedents.

Earlier, the prayer for bail of the petitioner was rejected by this Court vide order dated 03.09.2021 passed in Cr. Misc. No. 13540 of 2021.

Learned counsel for the petitioner submits that the petitioner is in custody for over three years in connection with this case but till date, not a single witness has been examined on behalf of the prosecution.

On the other hand, learned APP for the State submits



that there are serious allegations against the petitioner and considering the specific allegation that it is he who had come to the house of the informant and on his request, the father of the informant had gone with him but thereafter his dead body was found, this Court had rejected the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case, considering that the trial has already begun and the prosecution witnesses have been summoned by the learned trial court, this Court is not inclined to release the petitioner on bail at this stage.

Learned trial court is directed to keep the records on shorter dates and all endeavours be made to conclude the trial within a period of six months from the date of receipt/communication of a copy of this order.

If the trial is still not concluded within the aforesaid period for no reason attributable to the petitioner, the petitioner may file an application for bail in the learned court below.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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