

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38431 of 2022**

Arising Out of PS. Case No.-93 Year-2011 Thana- PURNAHYA District- Sheohar

Mukesh Pathak S/O Lalan Pathak Resident Of Village- Maduabag, P.S.-  
Mehasi, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manohar Prasad Singh

For the Opposite Party/s : Mr. Ram Naresh Ray

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      03-01-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Purnahiya P.S. Case No. 93 of 2011 registered under sections 452, 302, 307, 323, 324, 326, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution story is that three unknown persons fired upon the informant's brother and others, due to which they all are injured and after going to hospital, the informant's brother died and two other persons have been referred to Patna P.M.C.H Hospital thereafter the case has been registered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. It is further submitted that the petitioner is languishing in judicial custody



since 26.4.2013.

Learned APP appearing for the state has vehemently opposed the prayer for regular bail.

After perusal of the report sent by District & Sessions Judge, Sheohar, it is apparent that out of 11 chargesheet witnesses (Seven non-official and four official) Six non-officials chargesheet witnesses have been examined and cross-examined except informant and official witnesses. Doctor and I.O. are yet to be examined.

Having heard the learned counsel for the parties and considering the above facts and circumstances of the case, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

This application stands disposed off.

The trial Court is directed to expedite the trial and conclude the same within a period of three months.

However, if the trial of the petitioner is not concluded within a period of three months, he would be at liberty to renew his prayer for bail.

**(Sunil Kumar Panwar, J)**

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