

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44181 of 2023

Arising Out of PS. Case No.-230 Year-2020 Thana- BARUN District- Aurangabad

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Mithun Kumar Son of Late Prabhu Choudhary Resident of village -
Ramdihra, P.S. - Tilouthu, Distt. - Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tara Kumari D/o Late Lakhan Choudhary Resident of village - Gajbore
Bigha, P.S. - Barun, Distt. - Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukul Kumari, Adv.

For the Opposite Party/s : Mr. Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 15-09-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Session Trial Case No. 234/21/17 of 2021 arising out of Barun
P.S. Case No. 230 of 2020 dated 19.11.2020, lodged under
Sections 420, 376 of the I.P.C.

4. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 28.11.2022 passed in Cr. Misc. No. 60894 of 2021
in which liberty was granted to him to renew his prayer for bail

four months from the date of rejection order.

5. Learned counsel for the petitioner further submits that about nine months from the date of rejection order has crossed.

6. Learned counsel for the State opposes the prayer for bail and submits that progress report has been called for. Upon perusal of the progress report, it transpires that there were in total nine witnesses in this case and out of nine witnesses, examination of six witnesses took place and three witnesses are yet to be examined.

7. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected again.

8. Liberty is hereby granted to the petitioner that if within three months, the evidence shall not be concluded, then he may renew his prayer for bail.

9. With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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