

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53346 of 2022

Arising Out of PS. Case No.-41 Year-2020 Thana- DORIGANJ District- Saran

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1. SUNIL MAHTO Son of Shri Asharfi Mahto R/o Village - Bhairampur, P.S.- Doriganj, District - Saran at Chapra
 2. Birendra Mahto Son of Shri Asharfi Mahto R/o Village - Bhairampur, P.S.- Doriganj, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 03-05-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. Petitioners seek regular bail in connection with Doriganj P.S. Case No. 41 of 2020 dated 01.04.2020 registered for the offences punishable under Sections 341, 323, 324, 307, 147, 148 and 149 of the Indian Penal Code.

3. As per the prosecution, the informant alleged that this petitioner along with other accused persons armed with *knife, danda* etc came at his house and assaulted the informant and his mother by means of said weapons.

4. The main submissions advanced by petitioner's counsel are that the petitioners earlier preferred Cr. Misc.



No.22067 of 2020 which was rejected by then Bench of this Court and subsequently petitioners again filed Cr. Misc. No. 36237 of 2021 which was also rejected with a direction to the trial Court to conclude the trial of the petitioners expeditiously within six months from the date of communication of that order and trial of the petitioners is still running and they have been languishing in jail since 02.04.2020 and 04.04.2020 respectively.

5. Learned APP appearing for the State has opposed the prayer for bail and submitted that the trial of the petitioner is at advance stage.

6. Heard both the sides and perused the report sent by the trial court regarding the status of the petitioners' trial and the same goes to show that all the prosecution witnesses in the case of the petitioners have been examined and the case of the petitioners is running for the statements of accused persons, so at this stage it will not be proper to enlarge the petitioners on bail. Accordingly, petitioners' prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial of the petitioners in the next three months and if necessary, run petitioners' trial on day to day basis and unnecessary adjournments on the prayer of accused or prosecution must not



be given.

(Shailendra Singh, J.)

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