

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68493 of 2023**

Arising Out of PS. Case No.-1000 Year-2019 Thana- BIHTA District- Patna

=====

MUKHA RAI @ MUKHA KUMAR, S/O BALMIKI RAY @ BALMIKI RAI, RESIDENT OF VILLAGE- SUBHAV TOLA @ SUBHAW TOLA, P.S-BIHTA (NEORA O.P), DISTRICT- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Advocate

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

=====

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      15-12-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.236 of 2020, arising out of Bihta P.S Case no.1000 of 2019 registered under sections 302, 120B, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is said to have stabbed the son of the informant who died on way to the hospital.

4. The earlier applications for bail of the petitioner were rejected vide orders dated 4.3.2021 (Annexure P-1) passed in Cr. Misc. no.32836 of 2020 and dated 8.12.2021 (Annexure P-1/1) passed in Cr. Misc. no.66195 of 2021.

5. Learned counsel for the petitioner submits that inspite of the petitioner having remained in custody since



13.11.2019, the trial is still continuing and there is no chance of the same concluding in the near future. The petitioner undertakes to cooperate in the trial.

6. Further referring to the deposition of witnesses examined in course of trial, learned counsel for the petitioner submits that there are no eye witnesses to the occurrence and there is no chance of conviction of the petitioner. As such he may be enlarged on bail.

7. Learned A.P.P appearing for the State opposes the prayer for bail and referring to the deposition of witnesses submits that the prosecution witnesses have supported the allegation against the petitioner of him having stabbed the son of the informant.

8. Having heard learned counsel for the parties and taking into consideration the material on record including the deposition of the prosecution witnesses, 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)**

Shiv/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

