

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79725 of 2023**

Arising Out of PS. Case No.-35 Year-2010 Thana- ITARHI District- Buxar

1. Gorakh Mallha S/O Late Laxami Malah R/O Village- Siktauna (Jahanpur), P.S- Itarhi, Distt.- Buxar.
2. Dhanu Mallah S/O Late Shiv Narain Mallah R/O Village- Siktauna (Jahanpur), P.S- Itarhi, Distt.- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr. Anand Kumar Ojha, Advocate |
| For the Opposite Party/s | : | Mr. Rajesh Kumar, APP          |

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA**

ORAL ORDER

2      08-12-2023                      Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek regular bail in connection with Itarhi P.S. Case No. 35 of 2010 pending in the Court of ACJM-IV, Buxar instituted for the offences punishable under Sections 341, 323, 504 and 307/34 of the Indian Penal Code.

It is a case assault upon the informant as well as his family members by the accused persons.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He further submits that the petitioners have been earlier granted bail before the court below but their bail bonds were cancelled on



24.08.2017. Petitioners are in custody since 21.09.2023.

Learned APP for the State opposes the prayer for bail of the petitioners and submitted that petitioners have been absconding the trial for about 12 years due to which, the proceeding of the trial is being hampered.

Considering the act that the petitioners have been absconding the trial for about twelve years, this Court is not inclined to grant regular bail to the petitioners.

Prayer for regular bail of the petitioners is hereby rejected.

However, the court below is directed to conclude the trial of the petitioners preferably within three months from the date of receipt of this order considering that the petitioners are old and aged persons.

**(Ramesh Chand Malviya, J)**

Brajesh Kumar/-

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