

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.1085 of 2023**

Arising Out of PS. Case No.-264 Year-2021 Thana- PIRPAINTI District- Bhagalpur

DINA MANDAL @ DINA MAHTO @ DEENA MAHTO Son of Late Rekha  
Mandal R/v- Bakharpur, P.S.- Pirpanti, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Parmatma Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

4      06-07-2023                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 05.02.2022 in connection with S.Tr.No.573 of 2022 arising out of Pirpainty (Bakharpur) P.S. Case No. 264 of 2021, F.I.R. dated 16.11.2021 registered for the offence punishable under Sections 302,34 of the Indian Penal Code.

The prosecution case, in brief, is that on 06.11.2021 at about 08.00 PM the husband of the informant had gone to worship at Falhari Baba Shiv Temple. In the meanwhile the FIR named accused namely, Deena Mahto alongwith 2-3 unknown persons cut the neck, hand, eye and head of the husband of the informant namely, Dharmdeo Mandal as a



result of which her husband became unconscious and fallen on the ground. During course of treatment, he died on 13.11.2021.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and in fact the informant is not the eye witness of the alleged occurrence and the postmortem report does not support the allegation as alleged in the FIR.

Vide order dated 15.05.2023, a report was called for with regard to the stage of the trial. Report of the learned Trial Court dated 19.05.2023 reveals that the case is at the stage of prosecution evidence and except the Doctor and the Investigating Officer all the prosecution witnesses have already been examined.

Considering the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with S.Tr.No.573 of 2022 arising out of Pirpainty (Bakharpur) P.S. Case No. 264 of 2021 pending in the court of learned Additional Sessions Judge-XIV, Bhagalpur.



Prayer is refused.

However, the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

**(Rajesh Kumar Verma, J)**

Nitesh/-

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