

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30891 of 2024

Arising Out of PS. Case No.-46 Year-2019 Thana- WARISNAGAR District- Samastipur

Mohan Kumar Singh Son of Pramod Kumar Singh Resident of Village-
Balahi , Satmalpur, P.S- Waris Nagar , Dist- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Thakur Brajesh Singh

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 23-08-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Waris Nagar P.S. Case No. 46 of 2019 registered for the offences punishable under Section 302, 34 of the Indian Penal Code.

3. As per prosecution case, petitioner and others having armed with lathi, danda and other weapons surrounded the informant's brother and began to assault. There is accusation against the petitioner to have assaulted the informant's brother behind the back of the head by sharp cutting weapon as a result of which victim sustained injury and died on account of head injury.

4.Learned counsel for the petitioner submits that



the bail of the present petitioner has already been rejected by this Court on two occasions i.e. on 31.08.2022 and 08.12.2023. He further submits that on 08.12.2023, the prayer for bail of the petitioner has been rejected with a direction that trial court is directed to conclude the trial as early as possible. He further submits that petitioner is in custody since 13.07.2021 and the delay of trial is not in any way attributable to the petitioner as he is languishing in custody for more than three years.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that the bail of the present petitioner has already been rejected twice on merit and there is no new ground to consider the bail prayer for the petitioner as all the witness have been examined except one I.O which is revealed in the trial court report.

6. A report regarding stage of trial has been sought by this Court and in pursuance of the said direction, the trial court vide letter no. 57 dated 17.08.2024 has sent its report which reveals that only one witness is yet to be examined.

7. Considering the facts and circumstances of the case, arguments advanced on behalf of both sides, material available on record as well as report of the trial court, I am not inclined to grant bail to the petitioner. Accordingly, the prayer



for bail of the petitioner is hereby rejected.

8. However, trial court is directed to conclude the trial as early as possible.

(Alok Kumar Pandey, J)

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