

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32355 of 2024

Arising Out of PS. Case No.-56 Year-2021 Thana- SAMASTIPUR District- Samastipur

Munna Mahto @ Munna Kumar @ Munna Wrete son of Kailash Mahto
Resident of Village- Jitwarpur Kanhaiya Chowk, P.S.- Samastipur (Muffasil),
Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-09-2024

1. Heard learned counsel for the petitioner as well as

learned APP for the State, Mr. Chandra Bhushan Prasad.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 324, 326, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The learned counsel for the petitioner submits that petitioner is in custody since 05.04.2021. It is also submitted that altogether there are eight charge-sheet witnesses out of which, six witnesses have been examined but then it is submitted that no witness was examined after 20.09.2022 i.e. for nearly two years not a single witness has been examined. It is also submitted that petitioner is alleged to have fired at the



injured, causing injury in his abdomen.

4. The learned counsel for the petitioner next submits that the petitioner had approached this Court, seeking regular bail the second time by filing Cr. Misc. No. 52514 of 2023 and the same was rejected by an order dated 09.08.2023 with a direction that if the trial is not concluded within a period of seven months from the date of receipt/production of a copy of the order for no fault of the petitioner, the petitioner would be at liberty to renew his prayer for bail before the learned trial court. It is also submitted that in compliance of the said order, the petitioner moved before the learned trial court but then his regular bail application was rejected by the order impugned i.e. order dated 21.03.2024. It is further submitted that the order impugned does not even remotely suggests that for no fault of the petitioner, the trial could not be completed.

5. The learned APP for the State Mr. Chandra Bhushan Prasad, opposes the regular bail application and submits that since trial is nearing and if privilege of bail is granted to the petitioner, the petitioner may abscond on which the learned counsel appearing on behalf of the petitioner submits that the petitioner will not abscond rather will cooperate in the trial to prove his innocence.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Samastipur in connection with Sessions Trial No. 213 of 2022 arising out of Samastipur (Town) P.S. Case No. 56 of 2021.

7. One of the bailor of the petitioner shall be his father Kailash Mahto.

8. It is made clear that if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner, the learned trial court shall forthwith cancel the bail bonds of the petitioner and shall take all coercive steps to ensure that petitioner is behind bars.

9. The application stands allowed.

(Satyavrat Verma, J)

Sudhanshu/-

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