

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72921 of 2024

Arising Out of PS. Case No.-5 Year-2023 Thana- PUNAURA District- Sitamarhi

Bittu Kumar Son of Gagandev Mahto Resident of Village- Bulakipur
Khairwa, P.S.- Riga, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
For the State : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt for bail of the petitioner
as earlier such prayer was rejected by order dated 11.10.2023 in
Cr. Misc. No. 51189 of 2023.

3. The petitioner seeks bail in connection with
Punaura P.S. Case No. 05 of 2023 registered for the offence
punishable under Sections 302 of the Indian Penal Code.

4. The following order was passed on 11.10.2023 in
Cr. Misc. No. 51189 of 2023 which reads as under:

“Heard learned counsel for the



petitioner and Mr. Shahabuddin Azeem @ S. Azeem, learned APP for the State.

2. The petitioner seeks bail in connection with Punaura P.S. Case No. 05 of 2023 registered for the offence punishable under Section 302 of the Indian Penal Code.

3. The allegation against the petitioner is of killing the husband of the informant.

4. On the confessional statement of the petitioner, the knife used for killing the deceased has been recovered.

5. Learned APP has vehemently opposed the prayer for bail by contending that upon perusal of paragraph no. 4 of the impugned order, it is clear that the petitioner was involved in the crime and he may not be granted bail.

6. In view of the serious allegation levelled against the petitioner, I am not inclined to grant bail to the petitioner.

7. Accordingly, the application stands dismissed.

8. The Court below is directed to expedite the trial.”

5. It has been submitted by learned counsel for the petitioner that the charge has been framed but witnesses are not being examined.

6. Learned counsel for the petitioner also submits that co-accused has been granted bail.

7. Considering the facts of the case, this is not a fit case for review of my earlier order dated 11.10.2023.

8. Accordingly, this application stands dismissed.

9. The trial Court is directed to take all steps for examination of the witnesses and conclusion of the trial at the



earliest.

10. If the trial is delayed by the prosecution, the petitioner may renew his prayer for bail.

(Sandeep Kumar, J)

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