

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4045 of 2025

Arising Out of PS. Case No.-173 Year-2022 Thana- BAHERI District- Darbhanga

Panchu Mukhiya Son of Jibachh Mukhiya resident of Village- Dhanauli P. S-
Baheri Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.490 of 2023, arising out of Baheri P.S. Case no. 173 of 2022 registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, Ravi Mukhiya armed with *khanti*, the petitioner and one Shivji Mukhiya armed with *chhura* and others armed with pistol etc. are said to have assaulted the husband of the informant leading to his death.

5. Learned counsel for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 5.3.2024 (Annexure-P/1) passed in Cr. Misc. no.68939 of 2023 directing the learned Court below to expedite the trial and to conclude the same at the earliest preferably



within a period of six months. In spite of the petitioner being in custody since 19.9.2022, the trial has still not concluded. The petitioner has been falsely implicated in the case and undertakes to cooperate in the trial.

6. The application for bail is opposed by learned A.P.P for the State.

7. A report was called for from the learned trial Court. As per the report received, seven witnesses on behalf of the prosecution have been examined which includes witness no.6 who was recalled on a petition being filed by the accused which was allowed at cost of Rs.1500/-. Only two witnesses i.e. the Investigating Officer and the S.H.O Baheri remain to be examined and the trial is expected to conclude within a period of three months.

8. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner of having given a *chhura* blow together with the trial having progressed to a large extent with only two witnesses remaining to be examined on behalf of the prosecution, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

9. Learned trial Court is directed to conclude the trial



within a period of four months from the date of receipt/production of the copy of this order.

(Partha Sarthy, J)

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