

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14766 of 2025

Arising Out of PS. Case No.-48 Year-2020 Thana- BHADAUR District- Patna

Janardan Mahto @ Jano Mahto @ Janardhan Mahto @ Jano @ Janardan
Prasad Son of Late Suklal Mahto @ Sukhlal Mahto @ Sukhari Mahto
Resident of Village - Nandinagar, P.S. - Bhadaur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 04-07-2025 Heard the parties.

2. The petitioner seeks regular bail, who is in custody in connection with Bahadaur P.S. Case No. 48 of 2020, registered for the offence punishable under Sections 147, 148, 149, 341, 342, 323, 307, 302, 120(B) and 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. This is the 4th attempt made on behalf of the petitioner, as earlier thrice the prayer for bail of the petitioner came to be rejected by this Court; firstly in Cr. Misc. No. 58016 of 2021 vide order dated 18.05.2022, further in Cr. Misc. No. 24882 of 2023 vide order dated 17.05.2023 and lastly in Cr. Misc. No. 36166 of 2024 vide order dated 20.07.2024, taking into consideration the specific nature of accusation against the



petitioner.

4. Learned Advocate for the petitioner submitted that apart from the fact that the petitioner has been incarcerated for over a period of more than five years, on the last occasion, negating the prayer for bail of the petitioner vide order dated 20.07.2024, it was observed that the learned trial Court shall take all endeavours to conclude the same within a period of two months. More than nine months have been lapsed, but the trial has not been concluded and there is no likelihood of conclusion of trial.

5. Learned Advocate for the State submits that further two months time may be allowed to the learned Trial Court, as there is every likelihood that the trial would be concluded within the stipulated period. Moreover, the petitioner is facing serious and specific accusation of causing death of one Lalan Kumar and further causing grievous injury to one Nago Mahto.

6. The matter was heard on 25.04.2025 and this Court had directed the learned trial Court to submit a report regarding the status of trial. It has been apprised that the evidence of prosecution has also been closed and the case is presently running for recording of the statement under Section 313 Cr.P.C., but due to absence of one accused, the statement of



accused could not be recorded uptill now.

7. Considering the status of the trial and specific nature of accusation as also the fact that the petitioner is the main assailant and he fired upon the deceased Lalan Kumar and Nago Mahto, due to which one of them died and the another sustained serious injury, this Court is of the opinion that one more chance be given to the trial Court to conclude the trial, preferably within a period of two months, from the date of receipt/production of a copy of this order.

8. Let this order be communicated to the learned trial Court.

9. The present bail application stands disposed off.

10. However, the petitioner shall be at liberty to renew his prayer for bail after two months, if the same is not concluded.

(Harish Kumar, J)

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