

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40756 of 2025

Arising Out of PS. Case No.-60 Year-2023 Thana- GANGTA District- Munger

Mithlesh Kumar Tanti Son of Naresh Tanti Resident of Village - Jamghat,
P.S.- Gangta, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Puja Kumari, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.T. No.
26 of 2024 arising out of Gangta P.S. Case No. 60 of 2023
instituted for the offences under Section 302 of the Indian Penal
Code.

3. Accusation against the petitioner is of commission
of murder of the informant's daughter by assaulting her with
axe.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case due to dirty village politics. Learned counsel
further submitted that deceased is the wife of the petitioner and



the informant has not assigned any motive to the occurrence nor any allegation of demand of dowry has been raised. Learned counsel further submitted that informant is not the eye-witness to the occurrence. Learned counsel further submitted that police, after investigation, submitted charge-sheet against the petitioner and thereafter, the case was committed to the court of Sessions and charge has also been framed on 24.01.2024. He further submitted that after framing of charge, five witnesses out of seven have been examined and the last witness was examined on 21.01.2025 and till date the court is lying vacant and the rest two witnesses, i.e. I.O. and doctor, have not yet been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.04.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that there is direct allegation against the petitioner that he committed the murder of informant's daughter.

6. Considering the aforesaid facts and circumstances of the case, there being direct allegation as also the fact that trial is in progress, this Court is not inclined to grant bail to the petitioner at this stage.



7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. In the interest of justice, direction is given to the learned District and Sessions Judge, Munger to transfer the case/records to another court, in case the present court is lying vacant, for expeditious conclusion of the trial and further, direction is also given to the court concerned to conclude the trial in an expeditious manner without any undue delay and unnecessary adjournment, preferably within a period of two months.

9. Let a copy of this order be communicated to District and Sessions Judge, Munger.

(Rudra Prakash Mishra, J)

Alok Verma/-

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