

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68045 of 2025

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

Janardan Mahto @ Jano Mahto @ Janardhan Mahto @ Jano @ Janardan
Prasad S/o Late Suklal Mahto @ Sukhari Mahto Resident of village-
Nandinagar, PS- Bhadaur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-09-2025 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner, who is languishing in custody since 06.05.2020 in connection with Bhadaur P.S. Case No. 48 of 2020, registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 307, 302, 120(B), 504 of I.P.C. and 27 of the Arms Act, has made a prayer in the present application for grant of bail. This is the fifth attempt made on behalf of the petitioner as earlier the prayer for bail of the petitioner came to be negated on four occasions in Cr. Misc. No. 58016 of 2021, Cr. Misc. No. 24882 of 2023, Cr. Misc. No.36166 of 2024 and further in Cr. Misc. No. 14766 of 2025.

3. Learned advocate for the petitioner submitted that since the prayer of the petitioner was rejected on merit of the



case, hence, he is not making any submission for re-consideration on merit. However, this fact cannot be ignored that the petitioner has been languishing in custody for more than five years and four months and till date, despite repeated observation and direction made by this Court, the trial could not be concluded. It is further contended that on the last occasion when the matter was taken up, considering the position of the trial, this Court had observed that the trial court shall take all the sincere efforts to conclude the trial within a period of two months and, in case of failure, the petitioner would be accorded liberty to renew his prayer after two months. This fact is admitted that till date the trial has not been concluded on account of the fact that the matter is running for recording of the statement of one of the co-accused under Section-313 Cr.P.C., but due to absence of the said accused, his statement could not be recorded up till now.

4. On the other hand, learned advocate for the State has vehemently opposed the bail application and submits that there is a specific accusation against the petitioner of causing death of Lalan Kumar and grievous injury to Nago Mahto.

5. Having considered the submissions advanced and the fact the petitioner is languishing in custody for more than



five years and four months, however, the trial could not be concluded despite the repeated observation made by this Court, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Twenty-five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-Vth, Barh, Patna in connection with Bhadaur P.S. Case No. 48 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iii) Petitioner shall remain present on each and every date of the trial till its conclusion. Absence on any date without any justifiable reason shall entail cancellation of the bail-bond.

(Harish Kumar, J)

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