

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72392 of 2025

Arising Out of PS. Case No.-139 Year-2023 Thana- AGAMKUAN District- Patna

Ram Pravesh Mahto, S/o Bal Kishun Mahto, R/o Mohalla - Jaipur Dhanuki,
P.S - Agamkuan, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 07-11-2025 Heard Mr. Sunil Kumar Pathak, learned Advocate

appearing on behalf of the petitioner and Mr. Satyendra Narayan

Singh, learned Additional Public Prosecutor for the State.

2. This is the second attempt made on behalf of the
petitioner for grant of bail in connection with S.Tr. No. 1516 of
2024, arising out of Agamkuan P.S. Case No. 139 of 2023
registered for the offence punishable under Sections 302 and
120-B of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier the prayer for bail of the petitioner was
rejected by this Court vide order dated 27.01.2025 passed in
Criminal Miscellaneous No. 82895 of 2024 after taking into
consideration the specific accusation of firing against the
petitioner alongwith one Anand Prakash @ Mukhiya Jee, which
led to hit on the chest of the deceased apart from five criminal



antecedents.

4. Learned Advocate appearing on behalf of the petitioner submits that the Court has taken note of the fact that entire prosecution case falls to the ground for the simple reason that accused Anand Kumar @ Mukhiya Jee had not been sent up for trial and moreover, the post mortem report also belies the prosecution case, nonetheless, the prayer was rejected. However, so far the other accused persons are concerned, against whom there was allegation of making indiscriminate firing, they have also been allowed the privilege of bail by this Court. It is lastly contended that be that as it may, now the petitioner has been incarcerated since 18.06.2024 and the charges have already been framed, however, till date, none of the prosecution witness has come forward.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submits that the case of the petitioner is different from others, as the petitioner is facing specific accusation of causing fire arm injury, leading to death.

6. Considering the submissions advanced by learned Advocate for the respective parties and taking note of the specific accusation, this Court is not persuaded to reconsider the



prayer for bail of the petitioner at present, however, the learned trial Court shall take all sincere efforts to expedite the trial and conclude the trial at the earliest. In case the trial is not concluded within a period of nine months from today, the petitioner shall be at liberty to renew his prayer for bail.

(Harish Kumar, J)

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