

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30438 of 2026

Arising Out of PS. Case No.-36 Year-2021 Thana- BHADAUR District- Patna

Akhilesh Mahto @ Batoran S/o Late Sitara Mahto R/o Village - Daulatpur,
P.S. - Bhataur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Anjana , Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 01-07-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhadaur P.S.Case no. 36 of 2021 registered under sections 302 and 498A of the Indian Penal Code.

3. As per the prosecution case, the sister of the informant who was married to the petitioner herein was assaulted by the petitioner with an iron object on the head leading to her death.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. There is no eyewitness to the occurrence. In spite of the petitioner having remained in custody since 7.5.2021 no witness has been examined on behalf of the prosecution after 18.9.2023. The trial



has still not concluded. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 23.5.2026 of the Additional Sessions Judge-V, Barh, Patna, out of the ten witnesses nine witnesses have been examined and the trial has been expedited with a direction to the learned APP to produce witnesses on each and every date fixed.

7. Having heard learned counsel for the parties and taking into consideration, the direct allegation of assault against the petitioner in the FIR together with substantial progress in the trial in the learned trial Court with nine out of ten witnesses having been examined, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Learned trial Court is directed to conclude the trial within a period of four months.

(Partha Sarthy, J)

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