

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81159 of 2025

Arising Out of PS. Case No.-190 Year-2021 Thana- BHAGWANPUR HAT District- Siwan

Harichandra Mahto @ Harichandra Mahato @ Harischandra Mahto Son of
Tapeshwar Mahto Resident of Village - Naduan, P.S. - Bhagwanpur Hat,
District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
Mr.Niraj Kumar, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 16-01-2026

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.30 of 2022, arising out of Bhagwanpur Hat P.S. Case no. 190 of 2021 registered under sections 307, 341, 323, 324, 379, 504 and 34 of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently

3. As per the prosecution case, the petitioner surrounded the son of the informant and on his call the other accused persons reached there. They started to assault with *lathi*, *bhala*, sword etc. The petitioner is said to have assaulted with *farsa* on the head of the victim leading to serious head injuries and the victim subsequently dying.



4. Learned counsel for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 4.10.2024 passed in Cr. Misc. no.58860 of 2024. Inspite of the petitioner having remained in custody since 8.3.2022, the trial has still not concluded nor is there chance of the same concluding in the near future. The petitioner having remained in custody for more than 3½ years, he be enlarged on bail on any conditions which may be laid by this Court.

5. The prayer for bail is opposed by learned A.P.P for the State. It is submitted that as a result of assault by the petitioner with a *farsa* on the head of the victim lead to serious injuries and the victim subsequently dying.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 11.12.2025 of the District & Additional Sessions Judge-III-cum- Special Judge MPs/ MLAs/ MLCs Court, Siwan out of the total seven chargesheet witnesses, six witnesses had been examined and one witness and a doctor remained to be examined. Further as per report contained in letter dated 18.12.2025 received from the Superintendent of Police, Siwan, a total of 8 witnesses including the Police Officer and doctor have been examined.

7. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in



the F.I.R and 8 witnesses on behalf of the prosecution having been examined, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. The learned trial Court is directed to conclude the trial at the earliest preferably within a period of 4 months from the date of receipt/production of a copy of this order.

(Partha Sarthy, J)

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