

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.333 of 2015**

Arising Out of PS.Case No. -53 Year- 2011 Thana -DAUDNAGAR District- AURANGABAD

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Rajendra Paswan S/o - Sri Ram Nandan Paswan R/o Village - Ebanpur, P.S.  
- Aurangabad Mufasil, District - Aurangabad.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajeev Kumar Singh

For the Opposite Party/s : Mr. Anil Prasad Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

3      28-01-2015

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was twice rejected and while rejecting the prayer for bail of the petitioner vide order dated 10-07-2013 passed in Cr. Misc. No. 4631 of 2013, this court directed the trial court to expedite the trial of the petitioner, taking note of this fact that only one prosecution witness could be examined till date of passing of above-said order dated 10-07-2013.

The learned trial court has reported vide its letter No. 16/2015 dated 15-01-2015 that uptill now, only two prosecution witnesses could be examined and that too, are formal in nature.

Furthermore, the report of learned trial court reveals that almost all the processes, including issuance of warrant of arrest had already been issued to ensure the presence of prosecution witnesses but all went in vain.

Considering the aforesaid facts and circumstances as well as nature of allegation, levelled against the petitioner in connection with Sessions Trial No. 330 of 2011/83 of 2013 arising out of Daudnagar P.S. Case No. 53 of 2011 is again rejected.

However, learned trial court is directed to conclude the trial of the petitioner within six months from the date of receipt/production of copy of order, failing which, the petitioner shall be at liberty to renew his prayer for bail in the court below itself.

Let a copy of this order be communicated to the Superintendent of Police, Aurangabad with direction to him to ensure the presence of remaining prosecution witnesses before the trial court within a month from the date of receipt/production of copy of order, failing which, the matter shall be viewed seriously.

**(Hemant Kumar Srivastava, J)**

A.K.V./-

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