

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10116 of 2016**

Arising Out of PS.Case No. -155 Year- 2010 Thana -SARAIYA District- MUZAFFARPUR

Jai Ram Paswan, S/o Rajendra Paswan @ Nanki Paswan, Resident of  
village - Chako Chhapra, Tole Jagir, P.S. Saraiya, District - Muzaffarpur.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Dharmendra Kumar Paswan

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

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**  
**ORAL ORDER**

3      06-04-2016                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail in connection with Saraiya  
P.S. Case No.155 of 2010 registered under Section 376/34 of the  
Indian Penal Code, pending in the court of 14<sup>th</sup> Additional  
Sessions Judge, Muzaffarpur.

Earlier, the prayer for bail of the petitioner was  
rejected twice on merit by this Court taking into consideration the  
nature of allegation against the petitioner about committing rape  
on minor girl aged about 15 years.

Learned counsel for the petitioner submits that  
petitioner is in custody since 21.08.2011, while the charge has  
been framed on 17.07.2012, but the trial has not been concluded

as yet.

The report regarding stage of the trial has been received through letter No. 621, dated 28.03.2016 from the court of 14<sup>th</sup> Addl. Sessions Judge, Muzaffarpur, which disclosed that out of 11 witnesses, 05 prosecution witnesses have been examined and rest 06 witnesses including informant, I.O and Doctor yet to be examined regarding which summon, bailable warrant, non-bailable warrant has already been issued.

Having considered the facts and circumstances of the case, I am not inclined to reconsider the prayer of bail of the petitioner. Accordingly, the prayer of the petitioner for grant of bail is again rejected. However, the learned Court below is directed to take effective steps to conclude the trial of the petitioner within six months. If the trial of the petitioner is not concluded within six months, the petitioner may renew his prayer for bail.

**(Rajendra Kumar Mishra, J)**

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