

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 8819 of 2015

Arising Out of PS.Case No. -22 Year- 2013 Thana -DHAKA District- EAST CHAMPARAN
(MOTIHARI)

=====

Birendra Paswan S/o Late Vricha Paswan resident of village - Bashiya, P.S. Dhaka,
District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan, Advocate.
For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 12-04-2016

Heard learned counsel for the parties.

The petitioner seeks bail in Dhaka (Panch Pakri)

P.S. Case No. 22 of 2013 dated 06.02.2013 instituted under
Sections 147/148/149/323/307/504 of the Indian Penal Code to
which lateron Section 302 was added.

This is the second attempt of the petitioner for bail
as earlier such prayer was rejected by order 02.07.2014 in Cr.
Misc. No. 9978 of 2014. As no fresh grounds have been pleaded or
brought to the notice of the Court warranting grant of bail, the
Court is not inclined to interfere and accordingly the application
stands dismissed.

By order dated 03.02.2016 a report was called for
from the Court below with regard to the stage of the trial, number
of witnesses examined, reasons for delay and the likely time it
would take to conclude the trial. Pursuant to the same a report
has been submitted by the 9th Additional District and Sessions
Judge, East Champaran, Motihari dated 18.02.2016 in which it

has been stated that after framing of charge the witnesses were summoned and lastly on 12.02.2016 bailable warrant has been issued against them. It has also been stated that if the prosecution cooperates, the trial can be concluded within nine months.

In view of the aforesaid, the Court below is directed to expedite the trial and conclude the same latest by 30th November, 2016. It is made clear that Court shall be obliged to ensure that the trial is definitely conclude within such time frame which is as per the request of the Court itself.

The Superintendent of Police, East Champaran, Motihar shall ensure that witnesses are produced before the Court on the dates fixed for examination.

Registry shall communicate the order of the Court below as well as the Superintendent of Police, East Champaran, Motihari by Fax also latest by tomorrow.

After the order is passed, learned counsel for the petitioner submits that the younger brother of the petitioner is to be married on 28.04.2016. In that view of the matter, liberty is given to the petitioner to approach the Court below for provisional bail which shall be considered on its own merits without being prejudiced by the present order.

The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

Anand Kr.

U		T	
---	--	---	--