

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10331 of 2016**

Arising Out of PS.Case No. -113 Year- 2012 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

- =====
1. Karu Paswan @ Bajrangi Paswan son of Nathun Paswan @ Nathun Bhagat
  2. Sanjeev Paswan @ Sanjeev Prasad Paswan @ Sanjeev Kumar Son of Shiv Prasad Paswan
  3. Shiv Prasad Paswan Son of Late Nandan Paswan All are resident of village and Post - Bhairapur, Police Station - Bidupur, District - Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Dinesh Maharaj

For the Opposite Party/s : Mr. Md. Ansural Haque (APP)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**

**ORAL ORDER**

3      17-08-2016

Heard both sides.

The petitioners seek bail in Bidupur P.S. case No. 113 of 2012 corresponding to Sessions Trial No. 291 of 2015 registered under Section 302 and other sections of the Indian Penal Code.

The prayer for bail of the petitioners was earlier rejected vide order dated 12.01.2015 passed in Cr. Misc. No. 31153 of 2014 with Cr. Misc. No. 50149 of 2014 with a direction to the trial court to conclude the trial within one year. If the trial is not concluded within one year the petitioner may renew their prayer for bail.

It is submitted that the trial has not yet been concluded and even not a single witness has been examined.

Except the informant, no other witness has supported the case of prosecution but it appears that wife of the deceased has stated that her husband disclosed that petitioners poured kerosene oil and set him ablaze and consequently her husband died.

Considering nature of allegation, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

It appears from the perusal of the report of learned 5<sup>th</sup> Additional Sessions Judge, Vaishali at Hajipur that even after directions of this court he has not taken any step for conclusion of trial. The learned trial court is directed to conclude the trial within six months holding the trial on day to day basis.

The Superintendent of Police, Vaishali at Hajipur is directed to ensure the attendance of prosecution witnesses of Bidupur P.S. case No. 113 of 2012 corresponding to Sessions Trial No. 291 of 2015 in the court of learned 5<sup>th</sup> Additional Sessions Judge, Vaishali at Hajipur so that the trial must be concluded within six months.

If the trial is not concluded within the stipulated period, the petitioners may renew their prayer for bail.

**(Prabhat Kumar Jha, J)**

BKS/-

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