

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15452 of 2016

Arising Out of PS.Case No. -175 Year- 2013 Thana -KOTWALI District- MUNGER

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Manish Kumar @ Manish Paswan, Son of Late Rajendra Paswan, Resident
of Village - Katghar, P.S. - Kotwali, District - Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhananjay Kumar Upadhyay, Advocate.

For the Opposite Party : Mr. Kalyan Shankar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-05-2016 Heard both sides.

The petitioner has renewed his prayer for bail in Sessions Trial No. 208 of 2014, arising out of Kotwali P.S. Case No. 175 of 2013, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code and under Section 27 of the Arms Act. Prayer for bail of the petitioner was earlier rejected vide order dated 29.01.2015 in Cr. Misc. No. 3727 of 2015.

The prayer for bail of the petitioner was earlier thrice rejected by this Court. Lastly, prayer for bail of the petitioner was rejected with a direction to the trial court to conclude the trial within one year on the date of receipt of the order.

It is submitted that all the prosecution witnesses except

the informant have already been examined. The police has reported that the informant has left the village immediately after the occurrence, but the trial court is not closing the case of the prosecution.

Considering the facts aforesaid and the fact that from the order of the learned Additional Sessions Judge I, Munger it appears that the informant is not available, since the case is of serious nature and the petitioner is alleged to have killed the brother of the informant, I am not inclined to enlarge the petitioner above named on bail.

Accordingly, the same is rejected.

However, the trial court is directed to make all efforts to get the informant examined and if the informant would be not available, proceed in accordance with law and conclude the trial as soon as possible preferably within four months.

(Prabhat Kumar Jha, J.)

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