

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37847 of 2016**

Arising Out of PS.Case No. -139 Year- 2014 Thana -MADANPURA District- AURANGABAD

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Gulabi Paswan, son of Nathun Paswan, resident of village- Bara, P.S.  
Madanpur, District Aurangabad.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Bachan Jee Ojha, Advocate.

For the State : Mr. Amitesh Kumar, A.P.P.

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

2      14-12-2016                      Heard Mr. Bachan Jee Ojha, learned counsel for the  
petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in Madanpur P.S. Case No.  
139 of 2014 under Sections 302/34 of the Indian Penal Code and  
Section 27 of the Arms Act corresponding to Sessions Trial No.  
05 of 2015/43 of 2016.

The prayer for bail for the petitioner was earlier  
rejected vide order dated 6.7.2015 passed by this Court in Cr.  
Misc. No. 18160 of 2015.

Mr. Bachan Jee Ojha, learned counsel for the  
petitioner submits that the trial has not yet been concluded  
although, there was a direction to conclude the trial within one  
year, but it appears from perusal of the order of the learned



Sessions Judge-II, Aurangabad, that ten witnesses have already been examined and the trial was likely to be concluded within 10 to 15 days.

Considering the facts aforesaid that the prosecution has already examined ten witnesses and the case is at the argument stage as also there is specific allegation against the petitioner that he fired causing death of the deceased, I am not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner stands rejected.

The trial court is directed to conclude the trial within three months without giving unnecessary adjournment to any party.

**(Prabhat Kumar Jha, J)**

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