

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58230 of 2015

Arising Out of PS.Case No. -53 Year- 2011 Thana -DAUDNAGAR District- AURANGABAD

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1. Rajendra Paswan S/o Ram Nandan Paswan R/o Village -Ebanpur, Ps.
Aurangabad Mufasil, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh

For the Opposite Party/s : Mr. Nityanand Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 09-03-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 395 and 397 of the Indian
Penal Code.

The trial court has reported that five prosecution
witnesses have already been examined but the case is pending for
appearance of co-accused, Birbal Dome, who jumped bail in
course of trial.

Considering the aforesaid facts and circumstances as
well as submissions of the parties and also keeping in mind that
petitioner was caught on the spot, again I am not inclined to
release the petitioner on bail and hence, his prayer for bail in

connection with Sessions Trial No. 330 of 2011/29 of 2015/570 of 2015 arising out of Daudnagar P.S. Case No. 53 of 2011 pending in the court of Additional Sessions Judge-VI, Aurangabad stands rejected.

However, learned trial court is directed to proceed with the trial of the petitioner even by separating the case of co-accused, Birbal Dome.

Let a copy of this order be sent to Superintendent of Police, Aurangabad with direction to him to ensure the presence of remaining prosecution witnesses of the aforesaid case before the trial court within three weeks from the date of receipt/production of copy of this order, failing which the matter shall be viewed seriously and after closure of prosecution evidence, the trial court must conclude the trial of the petitioner within a month from the date of closure of prosecution evidence.

(Hemant Kumar Srivastava, J)

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