

Arising Out of PS.Case No. -307 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-SITAMARHI

.... Petitioner/s

1. The State of Bihar.
2. Keshwar Paswan Son of late Ramdeo Paswan Resident of Village-Girmisaini, Police Station and District- Sitamarhi.

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh
For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

3 20-04-2017 Heard learned counsel for the petitioner and
the learned A.P.P. for the State.

The Petitioner seeks bail in Case No. CI 307 of 2013, arising out of Sitamarhi P.S. Case No. 546 of 2011 (Sessions Trial No. 36 of 2017), pending in the Court of Additional District Judge-II, Sitamarhi instituted for the offence under Section(s) 302/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that some of the accused in this case have been granted bail by a coordinate Bench of this Court. It has further been submitted that the police after investigation submitted final form and thereafter on the basis of protest petition, cognizance has been



taken against the petitioner.

Learned counsel for the informant has appeared. He has submitted that anticipatory bail of the petitioner was rejected up to the Hon'ble Supreme Court. During enquiry on the protest-cum-complaint petition, all the witnesses have supported the case. The trial has begun and till date three witnesses have been examined in this case. The petitioner has criminal antecedent also and three cases are pending against him. It has further been submitted that cognizance has been taken vide order dated 01.01.2013 and after delay of more than three years the petitioner has surrendered on 09.01.2017.

In such circumstance, this Court is not inclined to grant bail to the petitioner. The prayer of the petitioner for bail is rejected at this stage.

The Trial Court is directed to expedite the trial and make efforts to dispose of the same as early as possible preferably within a period of six months.

The petitioner is at liberty to renew his prayer for bail if the trial is not concluded within the aforesaid period.

(Sanjay Priya, J)

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