

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9063 of 2017

Arising Out of PS.Case No. -288 Year- 2014 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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1. Kamendar Paswan @ Kamindra Paswan, Son of Late Ram Dev Paswan.
2. Nitish Paswan, Son of Umesh Paswan, Both resident of Village-
Mohiuddinpur, P.S.- Rahui, District- Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Suhawan Singh, Advocate.

For the Opposite Party : Mr. Pramod Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 22-03-2017 Heard both sides.

The petitioners seek bail in Rahui P.S. Case No. 288 of 2014, corresponding to Sessions Trial No. 211 of 2015, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

Bachchu Paswan, the informant, named the petitioners along with other accused persons and alleged that they having armed with Fasuli, Garasi caught the wife of the informant and assaulted her with Sickle and Garasi.

Learned counsel for the petitioners submits that prayer for bail of the petitioner was earlier rejected vide order dated 30.03.2015 passed in Cr. Misc. No. 6773 of 2015, but the



trial has not yet been concluded. It is further submitted that on account of enmity the petitioners have falsely been implicated in the case.

Learned APP as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioners and submitted that earlier the petitioners killed the father of the informant in which the petitioners have already been convicted. When the petitioners came out from jail they killed the wife of the informant and now they are threatened to kill the son of the informant.

Having considered the facts that the petitioners are alleged to have assaulted the wife of the informant with sharp edged weapon and many injuries caused by sharp edged weapons were found on the persons of the deceased and the petitioners are convicted, I am not inclined to enlarge the petitioners above named on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial holding on day-to-day basis and conclude the same within seven months from the date of receipt of this order. The S.P., Nalanda, Biharshrif is directed to ensure the attendance of non-examined witnesses of Rahui P.S. Case No. 288 of 2014, corresponding to Sessions Trial No. 211 of 2015, so that the trial must be concluded



within seven months.

Let a copy of this order be sent to the trial court as well as the S.P., Nalanda, Biharshrif for information and needful.

(Prabhat Kumar Jha, J.)

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