

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30272 of 2016

Arising Out of PS.Case No. -32 Year- 2011 Thana -BELAGANJ District- GAYA

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Surya Bilas Paswan, Son of Ram Swarup Paswan, Resident of village –
Bulak Bigha, P.S. – Belaganj, District – Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. J.N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

06/ 29-11-2017

Heard Mr. Vinod Kumar, learned counsel for

the petitioner and Mr. J.N. Thakur, learned counsel for the State.

The petitioner has renewed the prayer for bail
in a case registered for the offences punishable under Sections
147, 148, 149, 302 of the Indian Penal Code, Section 27 of the
Arms Act and Section 17 of Criminal Law Amendment Act.

Prosecution case is that four persons including
the petitioner assaulted the victim. The petitioner caused injury
with rifle on the head of the victim, while the other injury on the
head of the victim was caused by Sujeet Kumar Das.

It is submitted by learned counsel for the
petitioner that only one injury has been found on the head of the
victim. The petitioner is languishing in custody since 06.08.2012
and the trial has still not concluded. The petitioner has renewed



the prayer for bail on the ground that earlier the prayer for bail of the petitioner was rejected vide order dated 01.07.2015 passed in Cr. Misc. No. 28710 of 2014 wherein liberty was given to the petitioner to renew the prayer for bail, if the trial is not concluded within a period of one year, hence, he prays for bail.

Learned counsel for the State filed affidavit on behalf of S.S.P., Gaya to the effect that all the prosecution witnesses have been examined.

Considering the present stage of the trial, since all the prosecution witnesses have been examined and the nature of accusation against the petitioner being assailant, this Court is not inclined to revise the earlier order. However, in view of the fact that the petitioner is languishing in custody since more than five years it is expected from learned Additional Sessions Judge 1st, Gaya to conclude the trial of Sessions Trial No. 13 of 2014, arising out of Belaganj P.S. Case No. 32 of 2011 expeditiously preferably within a period of three months.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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