

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37145 of 2018

Arising Out of PS.Case No. -47 Year- 1994 Thana -PIYAR District- MUZAFFARPUR

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1. Lalbabu Paswan S/o Late Mohan Paswan, R/o Vill.- Chhajan Gonu ,
P.S.- Kudhani , District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 31-10-2018 Heard the parties.

This application is for grant of regular bail in connection with Pear Case No.47 of 1994 for the offences under Sections 394 and 302/34 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that the *Chowkidar* heard the sound of firing and he went to the place and saw the dead body having fire arm injury. The petitioner is not named in the FIR and later on his name transpired on confession of the co-accused Lakhindra Paswan. The case is of the year, 1994.

Submission of the learned counsel for the petitioner is that Lakhindra Paswan has been granted bail by this Court, vide order dated 16.5.1995 passed in Cr. Misc. No.5949 of 1995



and the petitioner has no knowledge about the same as such he could not appear earlier before this Court.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that the petitioner has come after 24 years of the occurrence and his name transpired on the confessional statement of the co-accused.

Having heard both sides and in view of the conduct of the petitioner, I am not inclined to grant bail to the petitioner at this stage, however, the learned trial court is directed to expedite the trial and try to conclude it within a period of one year .

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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