

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21167 of 2018**

Arising Out of PS. Case No.-117 Year-2015 Thana- PAKRIDAYAL District- East Champaran

Sajawal Sahani, Son of Akloo Sahani, resident of Village- Majhar Pandubbi  
Tola, P.S.- Pakaridayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

4      12-09-2018                      Heard the learned counsel for the petitioner and the  
  
learned Additional Public Prosecutor appearing on behalf of the  
  
State.

The petitioner seeks bail in Pakaridayal P.S. Case  
No.117 of 2015, corresponding to Sessions Trial No.975 of  
2017, registered under Section 302 and other sections of the  
Indian Penal Code.

The learned counsel for the petitioner submits that the  
prayer for bail of the petitioner was rejected vide order dated  
16.12.2016, passed in Cr. Misc. No.43798 of 2016 with an  
observation that the petitioner, if so advised, may renew his  
prayer for bail, if the trial is not concluded within one year. The  
trial has not yet been concluded. A report has been called for  
and the learned Sessions Judge reported that till date not a single



witness has been examined. The petitioner is in jail for more than two years. Akloo Sahani, the similarly situated accused person, has already been granted bail.

It appears from the FIR that there is specific allegation against the petitioner that he assaulted the deceased, the husband of the informant, with *lathi* on his head causing his death on the spot.

Taking into consideration the aforesaid fact, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within six months from the date of receipt of this order.

The Superintendent of Police, Motihari, East Champaran is directed to ensure the attendance of the prosecution witnesses of Pakaridayal P.S. Case No.117 of 2015, corresponding to Sessions Trial No.975 of 2017 so that the trial must be concluded within six months from the date of receipt of this order. If the trial is not concluded within the stipulated period, the petitioner, if so advised, may renew his prayer for bail.

Let a copy of this order be sent to the trial court and



the Superintendent of Police, Motihari, East Champaran for  
information and needful.

**(Prabhat Kumar Jha, J)**

S.KUMAR/-

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