

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31724 of 2019

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, Dist.- 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. B. N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 31-07-2019 Heard both sides.

The petitioner seeks bail in Pakaridayal P.S. case No.
117 of 2015 registered under Section 147, 149, 447, 302/34 of
the IPC.

In pursuance of the order dated 24.07.2019, the
Superintendent of Police, East Champaran, Motihari is present
in court and submitted a report that, of course, prosecution
witnesses were not examined earlier but since 11.04.2019
altogether 10 witnesses have been examined and today is the
date fixed for examination of Kashinath Singh, A.S.I., PW 11
and he must have been examined today itself and there is no
other witness to be examined.

The learned counsel for the petitioner submits that by
order dated 12.09.2018, this court directed the trial court to



conclude the trial within six months from the date of receipt of the order but admittedly six months time has elapsed in the month of March, 2019 but from perusal of the order dated 14.03.2019 passed by the learned Additional Sessions Judge it appears that no prosecution witness was examined till that date, therefore, the petitioner deserves bail.

It appears that there is specific allegation against Sajawal Sahni, the petitioner, Yadolal Sahni and Akloo Sahni that they gave indiscriminate Lathi blow on the head of husband of informant and husband of informant died on the spot.

It is submitted that other two accused persons have already been granted bail but since all the prosecution witnesses have been examined and the trial is likely to be concluded, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Personal appearance of Superintendent of Police, East Champaran, Motihari is dispensed with.

(Prabhat Kumar Jha, J)

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