

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33829 of 2019

Arising Out of PS. Case No.-59 Year-2016 Thana- KHAJEKALA District- Patna

=====

KARU PASWAN @ KARU BHAGAT Son of Late Ram Deo Paswan
Resident of Village - Ghasiyari Gali, P.S.- Khajekallan, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhay Krishna
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 24-07-2019 Heard both sides.

The petitioner seeks bail in Khajekalan P.S. case No. 59 of 2016 registered u/s 302 and some other Sections of the IPC and u/s 27 of Arms Act.

The learned counsel for the petitioner submits that payer for bail of the petitioner was earlier rejected thrice by this court but still the trial has not yet been concluded. It is further submitted that when the petitioner was not given sufficient opportunity to cross examine the witness the petitioner moved this court in Cr. Misc. No. 34534 of 2018 and a coordinate bench of this court by order dated 11.10.2018 ordered that till the next date/ appearance of the opposite party No.2 no further order shall be passed.

It appears from perusal of the order itself that all the



prosecution witnesses were examined but the petitioner did not cross examine some of the prosecution witnesses. Later on the petitioner filed petition u/s 311 of the Cr. P. C. to recall PW 3 to PW 6 for their cross examination and the trial remained pending at the instance of the petitioner against whom there is specific allegation that petitioner and other accused made indiscriminate firing causing the death of Chhotu Paswan on spot and injuring other persons.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is once again rejected.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

