

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77288 of 2018

Arising Out of PS. Case No.-48 Year-2018 Thana- CHAORI District- Bhojpur

Mithilesh Paswan, s/o Janeshwar Paswan r/Vill-Athpa, P.S-Chauri, Distt.-
Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Sri Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-02-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Chauri P.S. Case No.
48/2018, instituted for offence under Section(s) 302/34 of the
Indian Penal Code.

It is alleged in the written report that informant learnt by
telephone by her Nanad that this petitioner along with his wife has
caused death of her husband by giving *Chaku* blow.

Case diary has been received in this case, wherein
father, mother and sister of the deceased have stated in paragraphs
8, 9 and 10 that this petitioner along with his wife gave *Chaku*
blow to the deceased on account of altercation.

Learned Addl. P.P. has submitted that in post-mortem
report doctor has found one incised wound of size 3"x2"xcavity
deep over left side of chest and one incised wound of size



3"x2"x cavity deep over back.

Learned counsel for the petitioner has submitted that wife of this petitioner has already been granted bail by this Court in Cr. Misc. No. 55715/2018 dated 20.09.2018.

This Court finds that informant and other witnesses have levelled specific allegation against this petitioner of giving Chaku blow to the husband of informant along with his wife.

In view of such, this Court is not inclined to grant bail to petitioner at this stage. Accordingly, prayer for bail of petitioner is rejected.

From the impugned order it appears that charge has already been framed in this case and one witness has been examined.

The trial court is directed to expedite the trial and make efforts to conclude the same as early as possible preferably within nine months from the date of receipt of copy of order.

Petitioner is given liberty to renew the prayer for bail in the event trial is not concluded within aforesaid period.

(Sanjay Priya, J)

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