

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3896 of 2020

Arising Out of PS. Case No.-156 Year-2016 Thana- MADHEPURA District- Madhepura

DAYANAND PASWAN Son of Late Mangan Paswan Resident of Village-
Dudhaila, P.S.- Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate.

For the Opposite Party/s : Mr.Harendra Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-10-2020 This matter has been taken up in virtual Court.

Heard the parties.

The petitioner is languishing in custody for the
offence punishable under Sections 147, 323, 341, 324, 307, 354
and 379 of the Indian Penal Code.

Petitioner is in custody since 28.11.2018.

Allegation is that the petitioner gave blow with iron
rod at the head of the husband of the informant, as a result
whereof he died during the course of treatment. In the past,
prayer for bail was refused on 26.04.2019 in Cr. Misc. No. 7971
of 2019 with direction to the trial Judge to expedite the trial.

The report of the trial Judge reveals that the case is
running for prosecution evidence.

Learned counsel for the petitioner submits that the
petitioner is in jail for last two years. There is no chance of
conclusion of trial due to COVID-19 effect. Moreover, from the



act alleged against the petitioner offence under Section 302 IPC is not prima facie made out.

Considering the period already undergone by the petitioner and no chance of conclusion of trial, there is no reason for further detention of the petitioner as under-trial prisoner. Hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Madhepura P.S. Case No. 156 of 2016, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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