

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1459 of 2021**

Arising Out of PS. Case No.-167 Year-2019 Thana- PARWALPUR District- Nalanda

BALDEV CHAUHAN Son of Karu Chauhan, Resident of Village-Shivchak,
P.S.-Parwalpur, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate

For the Opposite Party/s : Mr. Anand kishore Chaudhary, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 03-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has renewed his prayer for bail in connection with Parwalpur P.S. Case no. 167 of 2019 registered under section 302 and other sections of the Indian Penal Code.

As per the prosecution case, the petitioner is stated to have struck the father of the informant with an iron rod on his head leading to his death.

It is submitted by learned counsel for the petitioner that earlier application for bail of the petitioner was rejected *vide* order dated 18.3.2020 passed in Cr. Misc. No. 85217 of 2019 directing the learned trial court to expedite the trial. In spite of the petitioner being in custody since 6.7.2019 and having no criminal antecedent, there is no progress whatsoever in the trial and not a single prosecution witness has been



examined.

A report was called for with respect to the stage of the trial from the learned court below and the same has been received. From the report contained in letter dated 138 dated 12.02.2021 it transpires that no prosecution witness has turned up and summons have been issued.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the same is rejected.

However, in view of the facts of the case, liberty is granted to the petitioner to renew his prayer for bail on completion of two years in custody in case there is no substantial progress in the trial.

(Partha Sarthy, J)

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