

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31706 of 2020

Arising Out of PS. Case No.-212 Year-2017 Thana- MAJORGANJ District- Sitamarhi

SANTOSH PASWAN, Son of Parsuram Paswan, R/o- Mohni Mandal, P.S.-
Majorganj, District – Sitamarhi ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Deovind Kumar Singh, Adv.

For the Opposite Party : Mr. A.M.P. Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 19-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Majorganj P.S.
Case No. 212 of 2017, pending in the Court of the Additional
Sessions Judge, VIII, Sitamarhi, registered under Sections 302, 201
and 34 of the Indian Penal Code.

Accusation is of torturing and causing assault to Prem
Sheela Devi, daughter of the informant, Mahendra Paswan, by her
husband and in-laws making allegation against her character, while
Panchayati was arranged, but, after some time she was being, again,
tortured. On 27.05.2017 while the informant, Mahendra Paswan,
talked to his daughter who told the informant, Mahendra Paswan, to
come at her sasural and when the informant reached at the sasural of
his daughter, the mother-in-law of his daughter informed that his
daughter and son-in-law had gone outside, then, he came in suspicion.
On query, he came to know that his daughter has been killed and her
dead body has been buried at the bank of river of Mohni Block,
Sonha Sareh, where the dead body was recovered.



Submission is that earlier the prayer of the bail of the petitioner was refused by a coordinate Bench of this Court in Cr. Misc. No. 31675 of 2018 on 02.08.2018 with a direction to the trial Court to expedite and conclude the trial preferably within a period of two years, but, in spite of passing the order, more than two years, the trial has not been concluded as yet. The report, regarding stage of trial of the petitioner, as called for from the Court of the Additional District & Sessions Judge, VIII, Sitamarhi, disclosed that out of six witnesses, four non-official witnesses have been examined and one official witness and one non-official witness are yet to be examined. The learned Additional District & Sessions Judge has also detailed that the trial of the petitioner will be concluded within three months.

Having regard to the facts and circumstances of the case, I am inclined to grant bail to the petitioner. The prayer for bail is **rejected**. However, if the trial of the petitioner is not concluded within six months, the petitioner shall be at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J)

Shamshad/-

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