

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33622 of 2020

Arising Out of PS. Case No.-205 Year-2019 Thana- DESARI District- Vaishali

1. Maina Paswan son of Late Bija Paswan
2. Mukesh Paswan son of Maina Paswan
Both are resident of village - Bajitpur Chakasturi Tola Chakwa, P.S. - Desari,
(Sahdai O.P.), District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-01-2021 Heard both sides.

The petitioners seek bail in Desari (Sahdei O.P.) P.S.

Case No.205 of 2019, corresponding to Sessions Trial No.83 of 2020 registered under Section 302 and other minor Sections of the Indian Penal Code.

The learned counsel for the petitioners submits that bail of the petitioners was earlier rejected vide order dated 05.03.2020 passed in Cr. Misc. No.71193 of 2019 but even after lapse of about a year, the trial has not yet been substantially progressed. It appears that petitioners are in jail since 29.07.2019 but it appears that both the petitioners are alleged to have assaulted Ramji Paswan with lathi on his head and injuries



were found on the head of Ramji Paswan. On account of head injuries, Ramji Paswan died.

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

Since the petitioners are in jail for about 1½ years, the trial court is directed to hold the trial on day to day basis and conclude the same within nine months from the date of receipt of this order.

The S.P., Vaishali is directed to ensure the attendance of the prosecution witnesses in the trial court so that the trial must be concluded within nine months.

Let a copy of this order be sent to the trial court as well as S.P., Vaishali for information and needful.

If the trial is not concluded within nine months, the petitioners may renew their prayer for bail.

(Prabhat Kumar Jha, J)

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