

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38285 of 2020

Arising Out of PS. Case No.-24 Year-2019 Thana- SANGRAMPUR District- East
Champaran

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Kunal Paswan Son Of Dhrup Paswan Resident Of Village- K.R. Mathiya,
P.S.- Sangrampur, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Vijay Shankar Shrivastava, Advocate
For the State	:	Mr. Akhileshwar Dayal, APP
For the Informant	:	Mr. Rajiv Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 23-03-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Session Trial No. 580 of 2019 arising out of
Sangrampur P.S. Case No. 24 of 2019 registered for the offence
under Sections 304(B), 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that earlier
the prayer for bail of the petitioner was rejected by this Court on
22.01.2020 passed in Cr. Misc. No. 66279/2019 (Annexure '1')
with an observation that petitioner may renew his prayer for bail
after a reasonable period.

Learned counsel submits that petitioner is in custody
in connection with the present case since 01.06.2019, and at this



stage, the trial is not likely to be concluded in near future.

This Court had earlier called for a report from the learned trial court as to the present stage of the trial and the time likely to be taken in conclusion thereof. The report has been received and is kept at Flag 'A'.

The learned trial Court has informed that the trial has begun and out of seven witnesses two witnesses have been examined on behalf of the prosecution. Bailable warrants have been issued against the private witnesses on 06.01.2021. The learned trial Court has taken a view that the trial may be concluded within a period of six months.

Learned A.P.P. for the State is present, he has opposed the prayer for bail of the petitioner and submits that at present stage when the trial itself is likely to be concluded within six months, the release of the petitioner may result in further delay in completion of trial.

Having regard to the facts and circumstances of the case and the report of the learned trial court, this Court is not inclined to grant bail to the petitioner as the trial has already begun and the witnesses are being examined.

This Court would, however, observe that it will the duty of the Superintendent of Police, East Champaran, Motihari



to ensure execution of all theailable/non-ailable warrants issued against the witnesses and to produce the official witnesses on the date fixed in the matter.

The trial Court is expected to conclude the trial within a period of six months.

In case, the trial is not concluded within a period of six months for no reason attributable to the petitioner, the petitioner may renew his prayer for bail.

This application is disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

