

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL APPEAL (SJ) No.132 of 2021**

Arising Out of PS. Case No.-121 Year-2019 Thana- KARJA District- Muzaffarpur

KUNDAN PASWAN Son of Gagandev Paswan Resident of Village -
Bhatauna, P.S.- Karja, District - Muzaffarpur.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Mani Bhushan Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

6 06-04-2021 Learned counsel for the appellant undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the appellant and learned Spl. PP for the State.

This is the second attempt of the appellant to obtain regular bail in connection with Karja P.S. Case No. 121 of 2019 registered for the offences punishable under Sections 307/376 (D) of the Indian Penal Code and Sections 3(i)(w)/2(va) of the SC/ST(POA) Act.

Earlier the prayer for bail of the appellant was rejected by this Court vide order dated 05.12.2019 passed in Cr. Appeal (SJ) No. 3587 of 2019.

Learned counsel for the appellant submits that though the appellant is in custody since 18.05.2019, the trial is not progressing



well.

Learned Spl. PP for the State is present and has opposed the prayer for bail of the appellant.

Having regard to the facts and circumstances of the case, wherein it appears that the absconding accused has already appeared and now there is no impediment in conclusion of the trial, considering that the appellant has remained in jail for almost two years and the trial has not yet progressed, this Court expects that the trial court shall proceed with the trial on day to day basis and conclude the same as expeditiously as possible, preferably within a period of six months from the date of receipt/production of a copy of this order.

Public Prosecutor in-charge of the case and the Superintendent of Police, Muzaffarpur shall ensure that all the prosecution witnesses are produced in the court on the date fixed in the matter. If the trial still remained unconcluded for no fault on the part of the appellant, he may renew his prayer for bail after six months.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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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'.

