

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7209 of 2021

Arising Out of PS. Case No.-29 Year-2012 Thana- PANDARAK District- Patna

=====

Batelan Paswan @ Batoran, Son of Pravesh Paswan @ Ram Pravesh Paswan,
R/O Village- Sarhan, P.S.- Pandarak, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate.

For the Opposite Party/s : Mr. Dinesh Singh, APP

=====

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

ORAL ORDER

3 07-04-2021 As prayed for, let the learned counsel appearing for the

petitioner remove the defect(s), as pointed out by the office, within

four weeks of starting of the Court proceeding in physical mode in

normal course.

Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner is accused in connection with Sessions Trial

No. 504 of 2013, arising out of Pandarak P.S. Case No. 29 of 2012,

registered under Sections 302, 354 and 427/34 of the Indian Penal

Code.

The accusation is that the petitioner along with Chandan

Paswan, entered in the house of the informant, Anar Devi and

outrage her modesty but she moved on the ground floor. When her

mother-in-law, Munarki Devi, rushed to save her then petitioner also



assaulted her mother-in-law by handle of hand pump causing injury at her hand and back. While Munarika Devi was treated in the village hospital but she died on same day at about 9 P.M.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected on merit vide order dated 17.02.2014 passed in Cr. Misc. No. 31975 of 2013 by this Court and he is in custody since 25.07.2012, i.e., for more than eight years. Further submission is that there is no likelihood of conclusion of the trial of the petitioner in near future due to Pandemic of Covid-19.

A report regarding the present stage of trial has been received through letter no. 22 dated 02.03.2021, from the court of Succ. Additional Sessions Judge-II, Barh, Patna, which shows that out of seven charge sheet witnesses, six witnesses have been examined and one witness is yet to be examined and also expected that the trial of the petitioner is likely to be concluded within three months.

Having regard to the facts and circumstances of the case and the period of custody, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Succ. Additional Sessions Judge-II, Barh, Patna, in connection with Sessions Trial No. 504 of 2013, arising out of Pandarak P.S. Case No. 29 of 2012.



Out of two sureties, one surety must be the close relative of the petitioner.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

U		T	
---	--	---	--

