

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2290 of 2022**

Arising Out of PS. Case No.-449 Year-2017 Thana- JAMUI District- Jamui

RAJESH PASWAN @ KISHORE PASWAN Son of Ramdev Paswan @
Dasharath Paswan Resident of Village - Padmavat, P.S. and District - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashutosh Singh, Adv. Mr. Vinod Kumar
For the Opposite Party/s	:	Mr. Umeshanand Pandit

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 09-03-2022 Heard Mr. Ashutosh Singh, learned counsel for the petitioner and Mr. Umeshanand Pandit, learned A.P.P. for the State.

This is third attempt for bail on behalf of the petitioner in connection with Sessions Trial No. 119 / 2019 arising out of Jamui P.S. Case No. 449 of 2017 registered for the offence under Section 302 of the I.P.C.

The prayer of the petitioner was earlier rejected by this court on two occasions by order dated 23 / 05 / 2019 and 16 – 03 – 2021 passed in Cr. Misc. No. 25298 of 2019 and Cr. Misc. No. 38084 of 2020 granting liberty to the petitioner to renew his prayer for bail after six months if the trial does not conclude.



The allegation is that petitioner has allegedly set the daughter of the informant on fire.

Learned counsel for the petitioner submits that since the last rejection of the bail application, the trial has not shown any progress and out of eight charge sheet witnesses only one has been examined. Petitioner is in custody for more than three years since 13-12-2018.

This court vide its order dated 02 / 02 / 2022 has called for a report regarding the progress of the trial and in pursuance thereof report has been furnished by learned Addl. District & Sessions Judge 3rd , Jamui vide letter no. 07 dated 07 / 02 / 2022 and from perusal of the same it appears that out of eight charge sheet witnesses only one has been examined by the prosecution and for recording evidence of remaining witnesses summons and bailable warrant of arrest have been issued but the prosecution has failed to produce remaining witnesses to adduce evidence in the court.

Regard being had to the submissions made by the parties, taking into consideration the fact that petitioner has remained in custody for more than 13-12-2018, there is slow progress of trial, the petitioner is not having any criminal antecedent, there is no likelihood that petitioner will abscond or



tamper with the evidence if released on bail, as such, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-III, Jamui in connection with Sessions Trial No. 119 / 2019 arising out of Jamui P.S. Case No. 449 of 2017 on the following condition:-

(a) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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