

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6921 of 2022**

Arising Out of PS. Case No.-267 Year-2017 Thana- PARSABAZAR District- Patna

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BALLAM PASWAN S/o Jagdish Paswan R/o Village - Sakraicha, P.S. - Parsa  
Bazar, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Manoj, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      29-09-2022                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Parsa  
Bazar P.S. Case No. 267 of 2017 registered for the offence  
under Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in  
custody since 28.06.2018.

The allegation against the petitioner is to commit  
murder of son of informant, while attending a birthday party.

Learned counsel appearing on behalf of the petitioner  
submitted that present bail petition is second bail petition,  
pressed on behalf of the petitioner after rejection of earlier bail



through Cr. Misc. No. 39323 dated 21.08.2019. It is also submitted that while, rejecting the bail petition of the petitioner, it was directed by this Court to conclude the trial within a period of 09 months, but still out of 07 charge-sheeted witnesses, only 04 witnesses were examined including informant of this case. It is further pointed out by learned counsel that the informant namely, Ganauri Choudhary completely taken u-turn (before the trial court), wherein, he denied to know anything about the present occurrence and under these circumstances, any further period of detention of this petitioner, as under trial shall not serve any purpose of justice, where, petitioner is in custody since 28.06.2018, i.e. more than 4 years. It is further submitted that the progress of trial is evident of the fact that same is not likely to conclude in near future.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as despite of specific direction of this Court to conclude the trial within a period of 09 months, only 04 witnesses were examined in last 04 years in the background that informant of this case completely taken “**u-turn**” by denying allegation, while deposing before learned trial court, where, trial is not likely to complete in near future, let the petitioner, above



named, is directed to be released on bail in connection with Parsa Bazar P.S. Case No. 267 of 2017 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned VIIIth Additional Sessions Judge, Patna/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

S.Katyayan/  
Asmit/-

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