

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50991 of 2021

Arising Out of PS. Case No.-338 Year-2020 Thana- DEEPNAGAR District- Nalanda

Mahendra Paswan Son Of Shri Mangal Paswan Resident of Village -
Sarvodaynagar, P.S.- Deepnagar, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Thakur, Adv
Mrs Vaishnavi Singh, Adv
For the Opposite Party/s : Mr. Binod Murari Mishra, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 10-08-2022 Heard learned counsel for the petitioner as well
as learned Additional Public Prosecutor for the State

Petitioner seeks bail in a case registered in
connection with Deepnagar P.S.Case No. 338 of 2020 for
the offences punishable under Sections 302,120B, 34 of the
Indian Penal Code.

As per the prosecution case, it is alleged that the
marriage of the daughter of the informant was solemnized
with one Neha Kumari in the year 2010. On 05.10.2020, the
informant came to the house of his daughter and found foul
smell coming from inside the house. He immediately
informed the concerned police station on which the police



came and broken the lock and found that all the family members including Nehal Kumari were mercilessly killed.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the FIR. However, during the course of investigation, the witnesses namely, Devendar Paswan, whose statement was recorded under section 164 of the Cr.P.C. has categorically stated that just before the occurrence the petitioner and other have been found going to the house of the deceased and after some time he saw the persons were returned. It is further submitted that save and except suspicion , there is no other material in as much as there is no eye witness of the alleged occurrence. It is next submitted that during the course of trial all the charge sheet witnesses have been examined and none of them have supported the prosecution case. It is next submitted that the petitioner is in custody since 11.10.2020.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that the petitioner was seen going to the place of occurrence and thereafter, this incident of multiple murder took place.



It is next submitted that trail is at the fag-end and only I.O is required to be examined.

Having considered the submission of the parties and considering the materials available on the record, this Court is not persuaded to enlarge the petitioner on bail and hence , his prayer for bail stands rejected.

The learned trial court is directed to conclude the trial of the petitioner as early as possible, preferably within a period of two months from the date of communication this order and also directed the Superintendent of Police, Nalanda to ensure the appearance of witnesses so the trial may be concluded within the time prescribed.

The office is directed to communicate the order of this court to the S.P. Nalanda.

Accordingly, the present application is dismissed for present.

(Harish Kumar, J)

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