

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67622 of 2021

Arising Out of PS. Case No.-69 Year-2019 Thana- RATANPUR District- Supaul

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Shankar Paswan, aged about 50 years, male, Son of Bishundeo Paswan,
Resident of Village - Bohrawa, Ward No. 13, P.S. - Ratanpura, District -
Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Adv.

For the Opposite Party/s : Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 22-06-2022 Heard Mr. Sabal Kumar Jha, the learned Advocate

for the petitioner and Md. Aslam Ansari, the learned APP for

the State.

The petitioner seeks bail in connection with

Sessions Trial No. 02 of 2021 arising out of Ratanpura P.S.

Case No. 69 of 2019 instituted for the offences under

Sections 302 and 34 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier



rejected *vide* order dated 18.01.2021.

The petitioner is in custody since 06.12.2019.

By way of supplementary affidavit, it has been brought on record that out of 25 witnesses, 15 have already been examined and only 10 are left to be examined. Thereafter, an application has been filed on behalf of the prosecution, suggesting the name of 11 more witnesses who are not named in the charge-sheet, for them to be examined in support of the prosecution version.

Mr. Sabal Kumar Jha, the learned Advocate for the petitioner, therefore, submits that there is no likelihood of the trial now being concluded in near future, if so many other witnesses are also to be examined.

The informant of this case is the son of the deceased, who has alleged that his father (deceased) had gone to the house of the petitioner for bringing money which he had given to him. Later, his dead-body was recovered. Except for the petitioner having been last seen with the deceased at his house, there is no other material to connect him with the offence. Even during the course of trial, the



witnesses who have been examined have given only evasive version about the occurrence.

Considering the fact that the trial is not likely to be concluded in near future and the period of custody of the petitioner, which is from 06.12.2019, this Court is inclined to grant bail to the petitioner during the pendency of the trial.

The petitioner/Shankar Pawan is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-VII, Supaul in connection with in connection with Sessions Trial No. 02 of 2021 arising out of Ratanpura P.S. Case No. 69 of 2019.

However, this order would be subject to the condition that the petitioner shall furnish his mobile telephone number and the mobile telephone number of one of his sureties, which telephones shall be kept in operative condition till the trial is concluded. The petitioner shall also get his presence marked before the Officer-In-Charge of the



concerned police station on Wednesdays of every month. He shall not leave the territorial confines of the district where the trial is being conducted without the prior approval of the Trial Court and intimation in that regard shall be given to the Officer-In-Charge of the concerned police station. Whenever he moves out of the district, even after the permission by the Trial Court, he shall intimate the place of stay in the meanwhile, to the Officer-In-Charge of the concerned police station.

It is also made clear that any breach of any one of the aforesaid conditions would render his bail liable to be cancelled.

The application stands allowed accordingly.

(Ashutosh Kumar, J)

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