

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.743 of 2022

Arising Out of PS. Case No.-34 Year-2019 Thana- GOGRI District- Khagaria

CHETAN PASWAN Son of Chamak Lal Paswan Resident of Jamalpur, Ward
no. 17, Paswan Tola, P.S.- Gogri, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-03-2022 Heard Mr. Viveka Nand Singh, learned counsel for the
petitioner and Mr. Ashok Kumar, learned A.P.P. for the State.

Petitioner renews his prayer for bail in connection
with Sessions Trial No. 109 of 2020 arising out of Gogari P.S.
Case No. 34 of 2019 registered for the offence under Section
302 / 201 / 120 (B) of the I.P.C. inasmuch as earlier the bail
application of the petitioner was rejected by this Court by order
dated 09 / 11 / 2020 passed in Cr. Misc. No. 23083 of 2020
with liberty to the petitioner to renew his prayer for bail after
one year if the trial does not show any progress.

Learned counsel for the petitioner submits that since
last rejection of the bail application of the petitioner, trial has



proceeded and out of six charge sheet witnesses, four prosecution witnesses have been examined including the informant. Referring to Annexure- 3 of this bail application which is deposition of the informant before the learned trial court, learned counsel submits that informant is a hearsay witness and in his statement he has merely stated that he got information regarding death of his son (victim) from the administrative officials. Petitioner is in custody since 14/ 01 / 2020. There is no likelihood that petitioner will abscond or tamper with the evidence after release on bail by this court.

This court vide its order dated 02 / 02 / 2022 has called for a report regarding the present stage of the trial and in pursuance thereof the report has been furnished by learned Sessions Judge, Khagaria vide letter no. 14 / 2022 dated 08.02.2022 and from perusal of the same it appears that out of six charge sheet witnesses, four witnesses have been examined.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that petitioner has remained in custody since 14 – 1 – 2020 , informant and other witnesses have already been examined, there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail and this is 2nd



attempt for grant of bail on behalf of the petitioner, 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 Sessions Judge, Khagaria in connection with Sessions Trial No. 109 of 2020 arising out of Gogari P.S. Case No. 34 of 2019 .

(Anil Kumar Sinha, J)

praful/-

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

