

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14056 of 2023**

Arising Out of PS. Case No.-345 Year-2019 Thana- CHOUTARWA District- West  
Champaran

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Pramod Prasad @ Pramod Kumar @ Pramod Kumar Jaiswal, S/o Late Ram  
Prasad, R/v- Lagunaha, P.S.- Chautarwa, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                            |   |                                                                                                      |
|----------------------------|---|------------------------------------------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. Bimlesh Kumar Pandey, Advocate<br>Ms. Anjali Kumari, Advocate<br>Mr. Amit Kumar Pandey, Advocate |
| For the Opposite Party/s : |   | Mr. Surendra Kumar, APP                                                                              |

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      03-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.311 of 2022 (arising out of Chautarwa P. S. Case no.345 of 2019) registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the four named accused persons including the petitioner herein are stated to have assaulted the husband of the informant with an axe leading to his death.

4. It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 27.4.2022, passed in Cr. Misc. no.14795 of 2022, directing the learned trial Court to expedite the trial and to



conclude the same at the earliest preferably within a period of 8 months from the date of communication of the order.

5. Learned counsel for the petitioner submits that inspite of the petitioner cooperating and his having remained in custody since 11.11.2020, there is no progress in the trial and in fact the prosecution is somehow making all attempts to delay the trial further. Referring to the supplementary affidavit, learned counsel submits that the prosecution has recently on 27.3.2023, filed a petition under section 311 of the Cr.P.C for calling two more witnesses for examination.

6. A report was called for from the learned trial Court. As per the report received six witnesses on behalf of the prosecution including the informant and the Investigating Officer have been examined and one witness ie the doctor remains to be examined. From the supplementary affidavit of the petitioner it transpires that in case the petition of the prosecution is allowed two more witnesses will be examined on behalf of the prosecution.

7. Having heard learned counsel for the parties and taking into consideration the nature of allegation, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



8. Learned trial court is directed to expeditiously decide the petition under section 311 of the Cr.P.C filed on behalf of the informant/prosecution, if not already decided and to conclude the trial expeditiously, preferably within a period of four months from the date of communication of this order.

9. In case for reasons not attributable to the petitioner, the trial is not concluded within the aforesaid period, the petitioner may renew his prayer for bail.

**(Partha Sarthy, J)**

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