

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 28944 of 2022

Arising Out of PS. Case No.-210 Year-2021 Thana- DHURAIYA District- Banka

DEVENDRA PASWAN, SON OF BHAKTI PASWAN @ BHAKHI PASWAN @ BACKKI PASWAN RESIDENT OF VILLAGE KHUTAHA, P.S.- LODIPUR (BYPAS OP) DIST.- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Sadanand Paswan, Advocate
For the State	:	Mr Dilip Kumar No 1, APP
For the Informant	:	Mr Vibhakar Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 02-02-2023 Heard learned counsel for the petitioner, informant and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner seeks bail in Dhoraiya Police Station (for brevity, **PS**) Case No 210 of 2021 registered for the offence punishable under Sections 302/201 of Indian Penal Code.

Learned counsel for the petitioner submits that merely on confessional statement of co-accused Jaihind Paswan @ Janu Paswan, the petitioner has been implicated in this case. It is further submitted that the informant has provided two different motives for the alleged occurrence, one is love affair of the victim with the daughter of instant petitioner and the other property dispute with other co-accused persons. It is also submitted that petitioner has no concern with the killing. He has fair antecedent and is in custody since 16.12.2021.

Learned counsel for the informant and learned APP, on the other hand, have vehemently opposed the prayer for bail. Referring to the case diary, it is submitted that material has emerged in the



investigation to suggest that the petitioner has got the deceased killed on account of the love affair, elopement and marriage of his daughter with the victim. Co-accused Jaihind Paswan @ Janu Paswan has also specifically stated about the complicity of the petitioner.

This Court, considering the rival submissions, material on record, for the present, is not inclined to allow the petitioner the privilege of bail, more so in view of the fact that the trial Court report dated 06.01.2023 sent by the Additional Sessions Judge I, Banka regarding the stage of trial suggests that two witnesses out of six charge sheeted witnesses have already been examined.

However, having regard to the custody since 16.12.2021, this Court would direct the trial Court to proceed expeditiously for conclusion of the trial, without granting unnecessary adjournments or undue delay so as to ensure conclusion, preferably within six months from today.

Prayer for bail is rejected.

(Madhuresh Prasad, J)

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