

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41669 of 2022

Arising Out of PS. Case No.-85 Year-2020 Thana- BAUSI District- Araria

NARAYAN PASWAN Son of Late Jugal Paswan Resident of Village -
Maghua Purab Tola, Ward No.- 11, P.S.- Baunsi, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 24-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The present petition is by way of second attempt at the behest of the petitioner herein for grant of bail in connection with Bousi P.S. Case No. 85 of 2020 under Sections 147, 148, 149, 341, 323, 324, 307, 302, 379 and 504 of the Indian Penal Code, inasmuch as the earlier prayer of the petitioner for grant of bail was rejected, by an order dated 22.6.2021, passed by a coordinate Bench of this Court in Criminal Miscellaneous No. 6842 of 2021.

The petitioner is alleged to have caused



grievous injury with dabiya, a sharp cutting weapon, on the head of the deceased resulting in his death, apart from the other accused persons having also inflicted various injuries on the person of the deceased. The overt act of the petitioner also stands corroborated by the finding of the Doctor in the postmortem report.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 13.7.2020, however, there is no progress whatsoever in the ongoing trial, inasmuch as not even a single witness has been examined, hence, the petitioner be granted the privilege of bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that the petitioner is prima facie liable for gruesome



murder of the deceased and moreover, there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of bail, thus, I do not find any merit in the present petition. Accordingly, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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