

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49441 of 2023

Arising Out of PS. Case No.-95 Year-2021 Thana- IMADPUR District- Bhojpur

Purwashi Ram @ Purnwasi Paswan @ Purwasi Ram Son of Gandhi Paswan
Resident of village - Rajpur, P.S. - Imadpur, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 01-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 101 of 2023, arising out of Imadpur P.S. Case No. 95 of 2021, registered on 21.07.2021 for the alleged offences under Sections 365, 379, 302, 201/34 and 411 of the Indian Penal Code.

3. This is the second attempt of the petitioner to seek bail from this Court as his prayer for bail was earlier rejected vide order dated 20.12.2022 passed in Cr. Misc. No. 22456 of 2022.

4. As per prosecution case, the cousin and the brother-in-law of the informant were assaulted by a group of people who were barricading and causing obstruction of traffic.



The brother-in-law of the informant as well as his cousin fled away from the spot but they were chased by the mob. Though the brother-in-law of the informant escaped, the cousin of the informant went missing with his motorcycle. The name of the petitioner and other co-accused persons came up during investigation as accused persons who caught hold of the cousin of the informant and killed him.

5. Learned counsel for the petitioner submits that the petitioner is in custody since 27.07.2021 and only one witness has been examined in this case till date. Learned counsel further submits that there is no eye witness to the alleged occurrence and the story of recovery of motorcycle at the instance of the petitioner is not true. The dead body has never been recovered and it could not be said that the cousin of the informant was killed by the petitioner and other co-accused persons.

6. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the recovery of the motorcycle of the deceased was made at the instance of the petitioner and this fact was taken into consideration by this Court while rejecting the prayer for bail of the petitioner on earlier occasion and no new ground has been brought by the



petitioner for seeking bail.

7. Having regard to the facts and circumstances of the case and considering the fact that no new ground has been brought on record, I am not inclined to reconsider the prayer for bail of the petitioner and hence, the same is rejected.

8. However, the learned trial court is directed to expedite the trial since the petitioner is in custody since 27.07.2021 and conclude the same within six months.

(Arun Kumar Jha, J)

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