

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51988 of 2022

Arising Out of PS. Case No.-39 Year-2019 Thana- GHOSWARI District- Patna

MILAN PASWAN @ MILAN KUMAR S/o Harkhit Paswan @ Harshit
Paswan R/o village- Karkain, P.S.- Ghoswari, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

7 18-04-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

2. Heard learned counsel for the petitioner and the learned APP for the State.

3. Petitioner seeks regular bail in connection with Ghoswari P.S. Case No.39 of 2019 dated 25.04.2019 registered for the offences punishable under Sections 498A, 302, 201 and 34 of the Indian Penal Code.

4. The main submissions advanced by the learned counsel for the petitioner are that the petitioner who happens to be husband of the deceased, has been languishing in jail since 24.08.2021 and after the framing of charge the



prosecution has not taken any interest to conclude the petitioner's trial and petitioner is a daily wage labourer and the victim's marriage with this petitioner took place in the year 2010. Further submission is that four co-accused persons namely Sudarshan Paswan, Harshit Paswan, Navin Paswan and Manju Devi have been granted Regular Bail by a co-ordinate Bench of this Court vide orders passed in Cr. Misc. Nos.3768 of 2022 and 63255 of 2021.

5. Learned APP appearing for the State has opposed the bail prayer and submitted that the petitioner is husband of the deceased and he is the main accused and against him there is a serious allegation.

6. Heard both the sides and perused the FIR, case diary, order impugned and the report sent by the trial Court with regard to the status of the petitioner's trial. Though against the petitioner there is serious allegation but the report of trial Court goes to show that the charges were framed upon the petitioner on 04.08.2022 and thereafter no witness has been produced and examined by the prosecution up till now and as per above submission four persons are on bail and prosecution is very slow in concluding the petitioner's trial who has fair and clean antecedent and as per above submission the petitioner



depends on daily wages and has been languishing in jail since 24.08.2021, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Ghoswari P.S. Case No.39 of 2019.

(Shailendra Singh, J)

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