

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 56502 of 2022

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

DILIP PASWAN Son of Bechan Paswan Resident of Village - Chatna, P.S.-
Dhoraiya, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Sadanand Paswan, Advocate
For the S t a t e	:	Mr Pranav Kumar, APP
For the I n f o r m a n t	:	Mr Vibhakar Kumar, Advocate

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 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.

The prosecution case is founded on recovery of a beheaded body. **Fardbayan** of the **Chaukidar** has led to institution of the case.

Learned counsel for the petitioner submits that other than statement of the co-accused, recorded in custody, there is no material to suggest the petitioner's implication. The petitioner is having no antecedent and is in custody since 11.01.2022.

Learned counsel for the informant and learned APP, on the other hand, have vehemently opposed the prayer for bail. Taking this Court through the material emerging in the course of investigation, it is submitted that co-accused Jaihind Paswan @ Janu Paswan, on whose statement the head of the victim has been recovered, has



specifically stated about the instant petitioner's involvement along with three unknown persons in the crime.

Considering the rival submissions, material in the investigation and the nature of accusation, 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 11.01.2022, 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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