

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.208 of 2023

Arising Out of PS. Case No.-103 Year-2019 Thana- CHACKMEHSI District- Samastipur

MANOJ PASWAN Son of Uma Paswan Resident of Village- Kanojar, P.S.-
Chakmehsi, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

Learned counsel for the petitioner submits that this is the second attempt of the petitioner to seek regular bail when earlier by order dated 31.03.2022 in Cr. Misc. No. 64755 of 2021, his bail application was rejected on the ground that the petitioner is the husband and the deceased died during seven years of marriage and, as such, the presumption was against him. It is next submitted that the charges have been framed on 21.04.2022 but, till date, not a single witness has been examined.

Learned A.P.P. for the State opposes the bail application and submits that since charges have been



framed, the trial would commence.

Considering the submissions made by the learned A.P.P., the Court, for the present, is not inclined to release the petitioner on bail being the husband.

In the event, if the trial is not concluded within a period of nine months from today, the petitioner will be at liberty to file an application, before the learned Trial court itself, seeking regular bail and, in the event, if the learned Trial Court comes to a conclusion that, for no fault of the petitioner, the trial could not be concluded, the learned Trial Court, after hearing the petitioner, shall be at liberty to pass orders in accordance with law and will also have liberty to grant regular bail to the petitioner.

(Satyavrat Verma, J)

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