

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20649 of 2024

Arising Out of PS. Case No.-378 Year-2021 Thana- RAFIGANJ District- Aurangabad

Satyendra Paswan S/O- Late Bashudeo Paswan R/O- Village- Amarpura, P.S.-
Rafiganj, Dist.- Aurangabad (Bihar.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 03-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 130 of 2020/07 of 2022, arising out of Rafiganj P.S. Case No. 378 of 2021, registered for the alleged offences under Sections 302/34 of the Indian Penal Code.

03. As per prosecution case, the dead body of the sister of the informant was recovered and the name of the petitioner transpired during investigation along with the co-accused persons for being responsible for killing the sister of the informant.

04. The learned counsel for the petitioner submits

that this is the second attempt of the petitioner to seek bail from this Court as his prayer for bail was earlier rejected by this Court *vide* order dated 20.12.2022 passed in Cr. Misc No. 11644 of 2022. Learned counsel further submits that the petitioner is in custody since 26th of November, 2021 and there is no likelihood of early completion of the trial. Learned counsel reiterates the defence taken on earlier occasion like no eye witness certifying the involvement of the petitioner in the case and that the petitioner was not even last seen at the place of occurrence.

05. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that no new ground has come up for consideration of prayer for bail of the petitioner and delay in trial could not be a ground.

06. A report has been received from learned trial court wherein he has submitted that four witnesses have been examined and official witnesses like doctor and investigating officer are yet to be examined and the learned trial court has sought further time of four months for completion of the trial.

07. Having regard to the facts and circumstances and submission made on behalf of the parties, I do not find any new ground to reconsider the prayer for bail of the petitioner. Hence,

his prayer for grant of bail is rejected.

08. The learned trial court is directed to abide by its undertaking and try to conclude the trial within the stipulated period of undertaking.

09. At the same time, the Superintendent of Police, Aurangabad is directed to ensure the presence of remaining prosecution witnesses on the dates fixed before the learned trial court. In case, the Superintendent of Police fails to produce the witnesses on the dates fixed, he will be called before this Court to explain his conduct.

(Arun Kumar Jha, J)

anuradha/-

U		T	
---	--	---	--