

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61137 of 2024

Arising Out of PS. Case No.-11 Year-2022 Thana- RAUTARA District- Katihar

Arvind Paswan @ Arvind Kumar Paswan Son of Shambhu Paswan Resident
of Village- Harijan Tola, Paltanija, Police Station- Rautara, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 26-10-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with S.T No. 262 of 2022, arising out of Rautara P.S Case no. 11 of 2022 registered under section 302 of the Indian Penal Code.

3. As per the prosecution case, the informant states that he received information from his daughter that his son-in-law had been done to death.

4. Learned counsel for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 6.12.2023 passed in Cr. Misc. no.62585 of 2023 directing the learned trial Court to expedite the trial and to conclude the same within a period of six months from the date of communication of the order. In spite of the petitioner having



remained in custody for more than 2 years 6 months since 8.4.2022 and more than 10 months having passed since the last order of rejection on 6.12.2023, as per instructions received, there is not much progress in the trial in the learned trial Court and no chance of the same concluding in the near future. The petitioner undertakes to cooperate in the trial.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. A report was called for from the learned trial Court. As per the report received, three out of the total eleven prosecution witnesses have been examined on behalf of the prosecution. The report further states that two witnesses were examined on 22.9.2022 and 29.9.2022 and the last witness was examined on 18.9.2024.

7. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R, the material that has transpired in course of investigation wherein at best the case against the petitioner is one of last seen, only one witness having been examined on behalf of the prosecution on 18.9.2024 since the direction of this Court in its last order of rejection dated 6.12.2023 to expedite the trial and as many as eight prosecution witnesses still remaining to be examined, the Court is inclined to allow the



instant application.

8. The petitioner is directed to be enlarged on bail in connection with S.T No. 262 of 2022 (arising out of Rautara P.S Case no. 11 of 2022) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Katihar.

(Partha Sarthy, J)

Shiv/-

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

