

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78757 of 2023

Arising Out of PS. Case No.-93 Year-2016 Thana- BUXAR INDUSTRIAL District- Buxar

AJIT PASWAN @ ADITYA PASWAN SON OF MANAN PASWAN @
MONAN PASWAN RESIDENT OF VILLAGE - CHANDRAPURA, P.S. -
BRAHAMPUR, DISTRICT - BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 05-01-2024 Heard Mr. Surendra Kumar Singh, learned Counsel

for the petitioner and Mr. Bharat Bhushan, learned APP for the

State.

2. The petitioner is in custody in connection with
Sessions Trial No. 195 of 2022 arising out of Buxar Industrial
P.S. Case No. 93 of 2016 for the offence under Sections 302,
201 and 34 of the Indian Penal Code lodged on 07.06.2016 by
the informant, Bengali Ram.

3. The matter is of 2016 and as per the informant,
when he was going to attend the nature's call, he was informed
that the dead body of an unknown woman is lying. There was
crowd all around it. A look on the body would show that she
was beaten to death. Accordingly, the FIR was lodged.



4. Earlier the case of the petitioner was heard and rejected vide order dated 20.09.2022 passed in Cr. Misc. No. 36378 of 2022.

5. Again, a fresh application has been preferred whereafter a report was called for, which has since been received vide letter no. 188 dated 19.12.2023 according to which two out of six prosecution witnesses have been examined while rest including the I.O. are yet to be examined.

6. The petitioner has remained in custody since 30.03.2022 (as stated in paragraph 12 of the petition) and taking into account that there is no likelihood of conclusion of trial in the near future, this Court is inclined to extend him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned 5th Additional District and Sessions Judge, Buxar in connection with Sessions Trial No. 195 of 2022 arising out of Industrial Area (Buxar) P.S.Case No. 93 of 2016 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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