

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1923 of 2024**

Arising Out of PS. Case No.-217 Year-2019 Thana- GAIGHAT District- Muzaffarpur

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Pawan Shukla @ Pawan Kumar Son of Sanjeev Shukla @ Sanjeet Kumar  
Shukla Resident of Village - Pakari, P.S. - Gaighat, District - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

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|----------------------------|--------------------------------|
| For the Petitioner/s :     | Mr. Madhusudan Kumar, Advocate |
| For the Opposite Party/s : | Mr. Rana Randhir Singh, APP    |
| For the Informant :        | Mr. Nachiketa Jha, Advocate    |

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      12-07-2024                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

2. This is the third attempt of the petitioner to obtain regular bail in connection with Gaighat P.S. Case No. 217 of 2019 registered for the offences punishable under Sections 323, 324, 341, 342, 307 and 302/34 of Indian Penal Code. He is in custody since 28.02.2020. The petitioner has got three criminal antecedent.

3. Learned counsel for the petitioner submits that pursuant to the order dated 28.06.2023 passed in Cr. Misc. No. 48201 of 2022, the petitioner had filed an application in the trial court itself for grant of regular bail because the trial was not getting concluded but the learned trial court had rejected the



same *vide* order dated 10.10.2023. The reason stated therein is that now only two prosecution witnesses are to be examined in course of trial. The submission is that the petitioner is in custody since 28.02.2020 and if the prosecution cannot complete the trial within a reasonable period, the petitioner deserves privilege of bail.

4. This Court had called for a report from the learned trial court. The report is available *vide* Letter No. 238 dated 22.05.2024. From this report, it appears that now the prosecution evidence has been closed after examination of all the witnesses including I.O. and the Doctor. The case is fixed for statement of the accused under Section 313 Cr.P.C. and the next date was 24.05.2024. The letter was sent to the Jail Superintendent for producing the accused through V.C. from Central Jail, Bhagalpur for recording his statement under Section 313 Cr.P.C. The court has recorded that this case may be disposed of within next one month if the accused in custody is produced through V.C. from Central Jail, Bhagalpur.

5. In view of the above said developments, this Court is not inclined to entertain the present application. It is being disposed of but with a direction to the Jail Superintendent, Central Jail, Bhagalpur to ensure that the petitioner is produced



through V.C. on the date fixed in the matter, if not already produced for his statement under Section 313 Cr.P.C. The learned trial court shall ensure that the trial is concluded as early as possible.

6. This application stands disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

Rishi/-

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