

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4415 of 2024

Arising Out of PS. Case No.-131 Year-2020 Thana- BAKHTIYARPUR District- Patna

Chandan Paswan Son Of Late Jaihind Paswan Resident Of Vill- Dadaur, P.S.-
Bakhtiarpur, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Singh, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 01-03-2024 Heard Mr. Rudal Singh, learned counsel appearing on
behalf of the petitioner and the learned APP for the State.

2. This is the third attempt made on behalf of the petitioner for grant of his regular bail, who is in custody in connection with Sessions Trial No. 378 of 2020 arising out of Bakhtiyarpur P.S. Case No. 131 of 2020, registered for the offence punishable under Sections 302/24 of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier, the prayer for bail of the petitioner was rejected vide order dated 26.04.2023 in Cr. Misc. No. 19442 of 2023 and further vide order dated 06.10.2023 in Cr. Misc. No. 55291 of 2023, after taking into consideration the specific nature of acquisition of he being author of the fatal injury.

4. It is submitted on behalf of the petitioner that



though the prayer for bail of the petitioner was rejected on merit, however, the period of incarceration cannot be overlooked as the petitioner is in custody for more than three years and four months, but despite the specific direction/observation of this Court, till date, the trial has not been concluded.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits at the bar that apart from the specific nature of accusation that the petitioner fired upon the deceased which resulted into his death, he is also carrying three criminal antecedent over his head, besides the present one.

6. Earlier, vide order dated 02.02.2024, the status report of the trial was called for and it has been informed to this Court vide letter no. 59 dated 09.02.2024 that all the prosecution witnesses have already been examined and the trial is likely to be concluded within a period of one month.

7. Considering the fact that the trial is at the fag end and the same is likely to be concluded within a period of one month, as has been informed to this Court, this Court is not persuaded to consider the prayer for bail of the petitioner and, as such, the prayer of the petitioner stands rejected.



8. It is needless to observe that the petitioner has been incarcerated since 02.10.2020, it is expected that the learned trial Court shall take all the efforts to conclude the trial within a period of one month, from today.

(Harish Kumar, J)

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