

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87153 of 2024

Arising Out of PS. Case No.-634 Year-2021 Thana- SAKRA District- Muzaffarpur

Bishnudev Paswan @ Vishnudev Paswan, son of Late Ganga Paswan, R/o
village- Rajapur, P.S.- Sakar, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the State : Mr. Suresh Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 31-01-2025 Heard Alok Kumar Alok, learned counsel appearing
for the petitioner and Mr. Suresh Pd. Singh, learned APP for the
State.

2. Petitioner seeks regular bail in connection with Sakra P.S. Case No. 634 of 2021 dated 31.12.2021 registered for the offences punishable under sections 399 and 402 read with section 34 of the Indian Penal Code and sections 25(1B)(a), 26 and 35 of the Arms Act and sections 8, 20 and 22 of the N.D.P.S. Act.

3. The main submissions advanced by learned counsel for the petitioner are that this is the third attempt of the petitioner to get the relief of regular bail after his second bail prayer was rejected by this Bench vide order dated 12.01.2024 passed in Cr. Misc. No. 70289/2023 with giving him a liberty to



renew his bail prayer after nine months from the date of that rejection order if his trial is not concluded within the said period and accordingly, in the light of the said liberty, the petitioner has renewed his bail prayer as there is no progress in his trial and he has been languishing in jail since 01.01.2022.

4. Though learned APP has opposed the bail prayer of the petitioner but fairly accepted that there is no progress in the trial of the petitioner.

5. Heard both the sides and perused the relevant materials. The petitioner has been languishing in jail since 01.01.2022 and by last rejection order, this Court has directed the trial court to expedite the trial of the petitioner and conclude the same in the next nine months from the date of that order and the status report sent by the trial court, which has been called for by this Court, shows that the charges were framed upon the petitioner on 23.08.2023 but thereafter, none of the prosecution witnesses has been examined till date which shows the prosecution's lingering attitude in producing and examining the prosecution witnesses, so, considering this aspect as well as petitioner's custody period, this Court is now inclined to grant the relief of regular bail to the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail



bond of Rs.20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sakra P.S. Case No. 634 of 2021.

(Shailendra Singh, J)

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