

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89142 of 2024

Arising Out of PS. Case No.-18 Year-2023 Thana- NEORA District- Patna

Sanjay Paswan @ Sajay Paswan, Male, aged about 44 years, Son of Ramashray Paswan, Resident of Village- Neoraganj, P.S.- Neora, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 19-03-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Neora P.S. Case No. 18 of 2023 instituted for the offences punishable under Sections 341, 323, 307, 504 and 506 of the Indian Penal Code.

3. Earlier the prayer for bail of this petitioner was rejected by this Court passed in Cr. Mics. No. 24391 of 2024 vide order dated 04.04.2024.

4. As per the prosecution case, the informant's son Sanjay Paswan abused and brutally assaulted his father Ramashray Paswan (informant) and he sustained injuries on his head, hands, forehead and neck. On the basis of written report of



the informant, the FIR was lodged under Sections 341, 323, 307, 504 and 506 of the Indian Penal Code.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to land dispute. He further submits that the petitioner and informant are father and son and there is land dispute between the parties. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has got clean antecedent as stated in para 3 of the petition and he is in custody since 24.08.2023.

6. Learned APP opposes the prayer for bail.

7. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-II, Danapur dated 23.09.2024 and also peruse the report regarding the stage of trial from the Court of the learned Additional Sessions Judge- II Danapur vide order dated 24.02.2025, it appears that this is the second attempt for regular bail of the petitioner and first bail petition has already been rejected by this court vide order dated 04.04.2024 passed in Cr. Misc. No. 24391 of 2024 with the direction to the learned trial Court to conclude the trial preferably within a period of six months from the date of commitment and proceeding of commitment must be concluded within 15 days



from receipt of this order. It also appears that the case is committed and record received in the office of the learned Sessions Judge, Patna on 20.07.2024 but no progress in trial as well as charge was framed on 03.08.2024 but no witness was produced by the prosecution in spite of issuance of summons andailable warrant against the witnesses, so considered all these aspects of the case and no progress regarding the stage of the trial against the present petitioner and also no criminal antecedent as stated in para 3 of the bail petition, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Danapur in connection with Neora P.S. Case No. 18 of 2023.

(Ramesh Chand Malviya, J)

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