

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20775 of 2018

Arising Out of PS.Case No. -102 Year- 2008 Thana -PAROO District- MUZAFFARPUR

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Sahindra Ram @ Sahendra Ram S/o Late Aungadh Ram, resident of
village- Chakisoahagpur, P.S.- Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh, Advocate

For the State : Mr. J.K.Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 11-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has renewed his prayer for grant of bail in
connection with Sessions Trial No.64 of 2013 arising out of Paroo
P.S. Case No.102 of 2008 registered under Sections 147, 148, 149,
302 and 379 of the Indian Penal Code and Section 27 of the Arms
Act. His application for grant of bail was earlier rejected by this
Court twice, first on 25.09.2014 and thereafter on 16.11.2016.

While rejecting the prayer for bail on 16.11.2016 liberty
was granted to the petitioner to renew his prayer for bail if the trial
is not concluded within one year for no fault on his part.

It is submitted by the learned counsel for the petitioner
that the petitioner was taken into judicial custody in the case on



28.11.2013 and since then he is in jail. After commitment, charges were framed on 16.05.2014 and till date only one charge-sheet witness has been examined, who also has not taken the name of the petitioner.

On the other hand, learned counsel for the State submitted that in the first information report nineteen persons have been named. The petitioner is the main assailant of the deceased.

I have heard learned counsel for the parties and perused the record.

While rejecting the application for grant of bail on 06.02.2018, the trial court had recorded that though several processes were issued for appearance of the prosecution witnesses, only the informant has appeared and rest prosecution witnesses are yet to be examined. It is true that the allegations made in the first information report are quite serious, but an under-trial prisoner cannot be kept in confinement for an indefinite period specially when the prosecution is loath in producing its witnesses.

Since charges were framed on 16.05.2014 and in four years the prosecution could examine only one of its charge-sheet witnesses, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Sessions Judge-XIV, Muzaffarpur in connection with
Sessions Trial No.64 of 2013 arising out of Paroo P.S. Case
No.102 of 2008.

(Ashwani Kumar Singh, J)

Md.S./-

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