

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33264 of 2018

Arising Out of PS.Case No. -246 Year- 2017 Thana -BIHTA District- PATNA

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Pawan Kumar, Son of Shashi Bhushan Singh, resident of Village-
Nisarpura, P.S. Rani Talab, District- Patna, At present- Mahavir Nagar,
Bihta, P.S. Bihta, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-07-2018

Heard learned counsel for the petitioner and the State.

Prayer for bail of this petitioner was earlier rejected by
this Court vide order dated 9.10.2017 passed in Cr. Misc. 29243 of
2017 with liberty to the petitioner to renew his prayer for bail after
six months if no substantive progress is made in the trial.

Report with regard to the present stage of trial was
called for from the court below which has been received. From the
report it appears that after taking cognizance in the case, the
learned Additional Chief Judicial Magistrate has committed the
case to the Court of Sessions on 09.07.2018.

Learned counsel for the petitioner has submitted that
petitioner is in custody since 19.04.2017.

From the report of the court below it appears that there



is no substantive progress in the trial.

In such circumstance, this Court is of the view that for such laches on the part of the court below, the accused cannot be allowed to continue in jail for long.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, 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 Chief Judicial Magistrate-1, Danapur, Distt. Patna, in connection with Bihta P.S. Case No. 246 of 2017, subject to the condition that both the bailors will be the close relatives of the petitioner.

The petitioner will cooperate in conclusion of the trial and he will remain present on each and every date of trial till disposal of the case. In the event of default of two consecutive dates, his bail bonds will be liable to be cancelled.

(Sanjay Priya, J)

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