

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9766 of 2019

Arising Out of PS. Case No.-220 Year-2017 Thana- ASHTHAWAN District- Nalanda

Chhotu Kumar @ Chhotu Ram, Son of Munna Ram, Resident of Village -
Asthawan (Ajibganj Tola), P.S.- Asthawan, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Sharma, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
19.10.2017 in a case registered for the offence punishable under
Section 414 of the Indian Penal Code.

The prosecution case is that from the possession of
the petitioner, a stolen motorcycle was recovered.

It appears that vide order dated 03.04.2018, passed in
Cr. Misc. No.18541 of 2018, a co-ordinate Bench of this Court
rejected the prayer for grant of regular bail of the petitioner and
also directed the trial court to expedite the trial and conclude the



same within a period of nine months. The petitioner was at liberty to renew his prayer for bail if the trial is not concluded within the stipulated time frame. The relevant portion of the order, reads as follows:-

“ However, the trial court is directed to expedite the trial and preferably conclude the same within nine months. If the trial is not concluded within the stipulated period, the petitioner may renew his prayer of bail. ”

It is submitted by learned counsel for the petitioner that the trial has not been concluded within the stipulated time frame, so in pursuance to the order dated 03.04.2018, passed in Cr. Misc. No.18541 of 2018, the petitioner is at liberty to renew his prayer for grant of regular bail. It is further submitted that there is no likelihood of trial being concluded in near future as only two witnesses have been examined so far.

Considering the period under custody and the fact that the petitioner is at liberty to renew his prayer for grant of regular bail if the trial is not being concluded within a period of nine months, let the above named petitioner 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 **A.D.J.-VII, Nalanda at Biharsharif** in connection with **S.T.**



No. 238 of 2018 arising out of **Asthawan P.S. Case No. 220 of 2017.**

Since, the petitioner has serious criminal antecedent, the learned Court below would be at liberty to cancel the bail bonds of the petitioner, if the petitioner defaults on two consecutive occasions or substantially gets involved in similar nature of offence.

(Dinesh Kumar Singh, J)

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