

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32038 of 2019

Arising Out of PS. Case No.-30 Year-2017 Thana- BALIYA District- Begusarai

MURARI SINGH, Son of Sri Ramlagan Singh, Resident of Village-
Rahatpur, P.S.- Ballia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 26-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Ballia P.S. Case No.30 of 2017** instituted for the offence under Section(s) 307 and other allied sections of Indian Penal Code and Section 27 of the Arms Act.

Prayer of the petitioner for bail was earlier rejected by this Court by order dated 05.11.2018 passed in Cr. Misc. No.55740 of 2018 with liberty to renew his prayer for bail after six months if no substantial progress is made in the trial.

Counsel for the petitioner submits that Petitioner is in custody since 05.05.2018. No substantial progress has been made in the trial. Even charge has not been framed in the case. It is further submitted that injury report does not support the



allegation against the petitioner. The doctor has found injury on the left side of neck, whereas, as per written report, allegation is that petitioner fired causing injury in the chest of the informant.

This Court earlier rejected the bail of the petitioner after stating all the facts and circumstances of the case by a speaking order with direction to the trial Court to expedite trial. Liberty was given to the petitioner to renew the prayer for bail after six months if no substantial progress is made in the trial.

Report has been received from the trial Court from which it appears that case is still pending for appearance of the accused persons. Charge has not been framed in the case. The Trial Court has not taken any serious steps for conclusion of trial even after passing of order dated 05.11.2018 in Cr. Misc. No.55740 of 2018.

Keeping in view the period spent by the petitioner in custody as well as the fact that there is no substantial progress in the trial, prayer of the petitioner for grant of bail 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 the **Chief Judicial Magistrate, Begusarai**, in connection with **Ballia P.S. Case No.30 of 2017**, subject to the condition that both the bailors



shall be close relative of the petitioner.

Further, (i) the petitioner will remain present on each and every date of trial, (ii) His absence on two consecutive date(s) without any reasonable cause will make his bail bond liable to be cancelled, and (iii) the petitioner will not intimidate the witnesses in any way and will not hamper the trial.

(Sanjay Priya, J)

J. Alam/-

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