

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48528 of 2019

Arising Out of PS. Case No.-1856 Year-2017 Thana- SASARAM NAGAR District- Rohtas

SAKIL AHMAD @ SHAKIL AKHTAR Son of Rafique Ahmad Resident of
Mohalla-Kazipura, P.S.-Sasaram Town, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code.

Petitioner is main assailant of the deceased. Others
also caused firearm injury to the deceased. Petitioner is in
custody since 09.01.2018.

Earlier prayer for bail was refused on 12.10.2018 vide
order at Annexure-1 with direction to the trial Judge to expedite
the trial. Rather the report of the trial Judge dated 23.08.2019
reveals that since three separate sessions trials were going on
due to different commitment orders in respect of different
accused of the same case and on the prayer of accused, the
process of clubbing all the trials before the one court was



undertaken.

The trial has not concluded. However, the trial court has proposed six months of time for conclusion of the trial provided the parties fully cooperates.

Learned counsel for the informant opposed the prayer for bail on the ground that the petitioner is suspected to be in collusion of the jail authorities which resulted in death of a prisoner who was son of the informant of Sasaram Mufassil P.S. Case No. 194 of 2019.

Perused the FIR of the said case wherein only material against the petitioner is suspicion of poisoning to the deceased which is not substantiated by other material.

Considering the period already undergone, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 181 of 2018 arising out of Sasaram (T) Police Station Case No. 1856 of 2017, subject to the following conditions:-

(a) The petitioner shall fully cooperate in the conclusion of trial within the aforesaid period. If on any day, the



progress of trial hampers due to absence of the petitioner and his Lawyer to cross-examine the prosecution witness, the court below shall be at liberty to cancel the bail bond of the petitioner and conclude the trial after keeping him in jail.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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