

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10972 of 2019

Arising Out of PS. Case No.-264 Year-2017 Thana- BAGHA District- West Champaran

Kishor Ram, Son of Late Naresh Ram, R/o village- Kailash Nagar, P.S-
Bagaha (Patkahuli), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Arbind Kumar Sharma, Advocate
For the State	:	Mr.Ashok Kumar Singh, APP
For the Informant	:	Mr. Randhir Kumar No.1, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 08-09-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned APP for the State as well as the learned counsel for the informant.

The petitioner seeks bail in connection with Bagaha P.S. Case No.264 of 2017 corresponding to S.T. No.84/18 registered for the offence punishable under Section 302 of the



Indian Penal Code.

The petitioner's prayer for bail was earlier rejected in Cr.Misc. No.13281 of 2018 on 13.04.2018.

In the instant proceedings, a report regarding the stage of the trial was called for. The report dated 07.03.2020 shows that five out of ten witnesses have been examined.

Petitioner's counsel submits that in view of the prevalent pandemic conditions arising out of COVID-19 disease, there has been no further progress in the trial and the petitioner is now in custody since 01.05.2017 i.e., much more than three years.

Learned APP for the State and the learned counsel for the informant have opposed the prayer for bail. They submit that the trial is in progress.

Considering the rival submissions and having regard to the period of custody, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the 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 the learned Additional Sessions Judge-II, Bagaha, West Champaran, in connection with Bagaha P.S. Case No.264 of 2017



corresponding to S.T. No.84/18, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

The petitioner would, however, be under the legal obligation to be present/represented at the trial on each and every date so as to facilitate conclusion of the trial expeditiously.

(Madhuresh Prasad, J)

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