

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19610 of 2020**

Arising Out of PS. Case No.-156 Year-1999 Thana- MAKHDUMPUR District- Jehanabad

ASHOK KUMAR @ ASHOK PRASAD @ ASHOK PRASAD SINHA, Son  
of Sri Shardanand Prasad Resident of Village- Aluabigha, P.S.- Makhdumpur,  
District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Prashant Sinha  
For the Opposite Party/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      26-06-2020                      Heard Mr. Prashant Sinha, learned counsel for the  
  
petitioner and Mr. Ram Priya Sharan Singh, learned APP for  
  
the State.

The petitioner seeks bail in connection with  
  
Sessions Trial No. 173 of 2000 arising out of Makhdumpur  
  
P. S. Case No. 156 of 1999 instituted for the offences  
  
under Sections 341, 324, 326, 307 and 34 of the Indian  
  
Penal Code.

The petitioner is alleged to have misused the  
  
privilege of bail.

The petitioner is in custody since 03.09.2019.

It has been informed by the learned counsel for the



petitioner that in the Sessions Trial, out of 18 witnesses, who have been examined, five of such witnesses have not supported the prosecution version and have been declared hostile. An explanation also has been offered for the petitioner not participating in the trial.

Regard being had to the period of custody of the petitioner and an assurance on his behalf that he shall participate in the trial and shall not leave the territorial confines of the State of Bihar without permission from the trial court, this Court is inclined to release him on bail.

The petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-VIII, Jehanabad in connection with Sessions Trial No. 173 of 2000 arising out of Makhdumpur P. S. Case No. 156 of 1999.

At the time of furnishing of bonds, the petitioner would be insisted upon for filing an additional affidavit stating that he shall not leave the territorial confines of the



State of Bihar without permission from the trial court.

Should the petitioner be found absent from the trial proceedings on two consecutive dates, the bail granted to him shall be rendered liable for cancellation.

The petition stands allowed with the observation / direction as above.

(Ashutosh Kumar, J)

skm/-

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