

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26553 of 2020

Arising Out of PS. Case No.-14 Year-2018 Thana- BAKHARI District- Begusarai

VINAY SAH Son of Lakshmi Sah @ Laxmi Narayan Shah Resident of
Parihara, P.S.- Parihara, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-10-2020 Heard Mr. Yogesh Chandra Verma, learned senior
counsel for the petitioner and Mr. Zainul Abedin, learned
Additional Public Prosecutor appearing for the State through
video conferencing.

Petitioner seeks regular bail in connection with
Sessions Trial No. 93 of 2019 arising out of Bakhri P.S. Case
No. 14 of 2018 registered for the offences punishable under
Sections 302, 34, 120(B) of the Indian Penal Code 1860 read
with Section 27 of the Arms Act.

This is third attempt for grant of regular on behalf of
the petitioner inasmuch as earlier on two occasions, the bail
application of the petitioner has been rejected by a co-ordinate
Bench of this Court vide orders dated 7.9.2018 and 8.5.2019
passed in Cr. Misc. 45208 of 2018 and 28903 of 2019



respectively.

The allegation against the petitioner as per the First Information Report is that he along with other accused persons, nine in numbers, surrounded the brother of the informant and the petitioner has fired upon brother of the informant along with three other accused persons.

Learned counsel for the petitioner submits that while rejecting the bail application of the petitioner earlier, a co-ordinate Bench of this Court was pleased to direct the learned court below to expedite the trial, but the trial has not yet been completed and at present only six witnesses have been examined. Learned counsel further submits that petitioner has remained in custody since 21.01.2018 and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 21.01.2018 and despite the direction of the Court to expedite the trial, the same is still pending and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Begusarai, in connection with Sessions Trial No. 93 of 2019 arising out of Bakhri P.S. Case No. 14 of 2018 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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