

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32300 of 2019**

Arising Out of PS. Case No.-112 Year-2013 Thana- GORIAKOTHI District- Siwan

SANOJ RAM Son of Teras Ram Resident of Village - Jagdishpur, P.S.- G.B.
Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Adv
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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

5 09-06-2020 The matter has been taken up through video conferencing.

Heard the parties.

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

According to FIR, the petitioner is main assailant of the son of the informant and the informant claims to be an eye witness of the occurrence.

In the past, prayer for bail to the petitioner was refused on 07.08.2018 in Cr.Misc.No.32848 of 2018.

Learned counsel for the petitioner submits that informant is not in fact an eye witness of the occurrence rather a cooked up story has been placed forward after recovery of dead



body. He further submits that by order dated 26.02.2020, latest stage of the trial was called for but the same has not been received. However, the trial is still pending and there is no chance of conclusion of the trial in near future due to the situation emerging from the effect of Covid-19.

Considering the entire facts of this case especially the period already undergone by the petitioner, no chance of conclusion of the trial in near future and no material to substantiate that the petitioner is going to tamper with the evidence or is going to hamper the trial, hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (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 S.Tr.No.328 of 2018 arising out of Goreakothi (G.B. Nagar) Police Station Case No.112 of 2013 with following conditions:

(a) Both the bailors shall be resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without



permission of the trial Court.

If the petitioner would not be able in furnishing sureties due to lock-down, he shall be provisionally released on his personal bond and the provisional bail shall be confirmed only after production of the bailors within fifteen days of restoration of normal function of the Court.

(Birendra Kumar, J)

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