

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38560 of 2019

Arising Out of PS. Case No.-83 Year-2016 Thana- PANAPUR District- Saran

SONU RAI @ SONU KUMAR RAI S/O Nagendra Rai @ Nagendra Rai
Yadav R/O Village- Moriya Purab, P.S.- Panapur, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh, Adv
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 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 147,148,149,341,323,302 of the Indian Penal Code.

According to FIR, while others were holding the deceased, the petitioner gave farsa blow at his head, as a result whereof, the victim died. The medical report corroborated the aforesaid allegation. Petitioner is in custody since 08.03.2018.

In the past, prayer for bail to the petitioner was refused on 21.08.2018 in Cr.Misc.No.29024 of 2018 with direction to the learned Trial Judge to expedite and conclude the trial within nine months.



The status report of the learned Trial Judge dated 03.03.2020 would reveal that prosecution evidence has already been closed in the case, however the defence have filed a petition for recall of certain prosecution witnesses and the matter is pending at that stage.

Learned counsel for the informant opposed the prayer for bail.

Considering the nature of allegation and period already undergone by the petitioner as undertrial prisoner and no chance of conclusion of the trial in near future due to Covid-19 effect as well as the fact that there is no material to substantiate that the petitioner is going to tamper with the evidence or 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 Panapur Police Station Case No.83 of 2016 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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