

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49193 of 2019

Arising Out of PS. Case No.-285 Year-2016 Thana- BETTIAH CITY District- West
Champaran

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SHESH PATEL Son of Sri Bikram Patel Resident of Village - Banuchhapar,
P.S.- Bettiah Muffasil (Banuchhapar O.P), Dist.- West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 05-10-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the
offences under Section 387 of the Indian Penal Code and sections 3
and 4 of Explosive Substance Act.

The earlier bail applications of the petitioner were
rejected vide Annexure-1 series to the present application. This is
the third attempt for grant of bail on behalf of the petitioner.

A report was called for from the Court below. It has been
reported that out of 11 charge-sheet witnesses, only two witnesses



have been examined.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.01.2018 and there is no chance of trial being concluded in near future. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has already remained in custody for more than two and a half years. The name of the petitioner has transpired on the basis of suspicion. There is no substantive evidence to suggest the implication of the petitioner in the present case. Other co-accused has been granted bail vide order dated 23.06.2020 passed in Cr. Misc. No. 80283 of 2019 by a Coordinate Bench of this Court.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Bettiah (Town) P.S. Case No. 285 of 2016.

(Sudhir Singh, J)

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