

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13288 of 2020

Arising Out of PS. Case No.-59 Year-2016 Thana- KHAJEKALA District- Patna

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KARU PASWAN @ KARU BHAGAT Son of Late Ram Deo Paswan
Resident of Village - Ghasiyari Gali, P.S. - Khajekalan, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajendra Kumar Jain

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 22-10-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code and u/s 27 of Arms Act.

Prayer for bail of this petitioner was earlier rejected by this court on four times. The last order of rejection is dated 24.07.2019. By order dated 06.09.2021 a report about the stage of trial has been called for from the court below which reveals that case is pending for argument. It is submitted that Similarly situated accused Kallu Thathera @ Mukesh Kumar has already been granted bail by a co-ordinate Bench of this court vide order dated 04.10.2016 passed in Cr. Misc. No. 31338/2016. Petitioner is in custody since 26.03.2016 and he has remained



in custody for more than five years.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case, the period of custody of the petitioner and the fact that the trial has not concluded as yet, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I-Patna City, Patna in connection with Khajekala PS case No. 59/2016 (ST No. 561/2016) on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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