

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27148 of 2021

Arising Out of PS. Case No.-149 Year-2017 Thana- ARA NAGAR District- Bhojpur

Prashant Kumar Sinha Son Of Late Kamal Kant Karn Resident Of Village -
New Colony, Jail Hatta, Sarvodaya Nagar, Daltanganj, P.S. - Daltanganj,
District - Palamu, Jharkhand

.... ... Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Ajay Kumar Jha, Advocate

For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 04-10-2021 Heard learned counsel for the petitioner and the State.

Earlier prayer for bail of the petitioner was refused by this Court vide order dated 2.3.2020, passed in Cr.Misc.No. 54326/2019 (Annexure 1) with liberty to the petitioner to renew the prayer for bail if the trial is not concluded within a period of six months.

Learned counsel for the petitioner, referring to the report of the trial court dated 8.9.2021, submits that even charge has not been framed in the case as yet. It is also the submission of the petitioner that similarly situated co-accused has already been allowed bail by a different co-ordinate bench of this Court vide Annexure 3 to the bail petition and the petitioner is in custody since 26.2.2019.

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



Considering the submissions of the parties and the tardy progress of the trial, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara in Ara Nagar Police Station Case No. 149 of 2017 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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