

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30009 of 2021**

Arising Out of PS. Case No.-179 Year-2019 Thana- AMAUR District- Purnia

MD ALAM GIR @ ALAM @ MD ALAM GIR ALAM, Son of Md. Khalil @
Khali Resident of Village - Dalmalpur, P.S. Amour, District - Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ashok Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 01-09-2021 Heard Mr. Bijendra Kumar Singh, learned counsel
for the petitioner and Mr. Ashok Kumar, learned Additional
Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Amour Police Station Case No. 179 of 2019, registered for the
offences punishable under Sections 395, 397 of the Indian Penal
Code.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was rejected by this Court vide order dated
19.10.2020, passed in Criminal Misc. No. 22989 of 2020, giving
liberty to the petitioner to renew his prayer for bail after six
months, if the trial does not show any progress.

This Court vide order dated 28.07.2021 had called for



a report regarding the stage of trial and in pursuance thereof, Judicial Magistrate, Ist Class, Purnea has submitted report vide letter No.232 dated 27.08.2021, stating therein that the case is likely to be committed in the last week of August, 2021.

The allegation as per the First Information Report, is that on 25/26.11.2019 about 10-15 miscreants entered into the house of the informant by breaking lock of the grill and after having overpowered the informant and his wife, they assaulted them with iron rod, katta,kathi etc and looted ornaments and Rs.1,00,000/- cash. It has further been alleged that they also assaulted son of the informant and looted the goods being kept for marriage of the daughter of the informant.

Learned counsel for the petitioner submits that the name of the petitioner has transpired on the basis of confessional statement of the co-accused and the petitioner is in custody since 29.11.2019 and the trial is not likely to be concluded in near future due to COVID-19 pandemic.

Regard being had to the submission advanced on behalf of the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 29.11.2019, the trial is not likely to be concluded in near future due to COVID-19 pandemic and this the second attempt on



behalf of the petitioner for grant of regular bail, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Purnea, in connection with Amour Police Station Case No. 179 of 2019, on the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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