

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36788 of 2021**

Arising Out of PS. Case No.-156 Year-2019 Thana- KARJA District- Muzaffarpur

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ASHUTOSH RANJAN @ CHHOTU SINGH, S/O ARUN KUMAR SINGH
R/o village- Bangri, P.S.- Baruraj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-09-2021 Heard Mr. Alok Kumar Alok, learned counsel for the

petitioner and Mr. Yogendra Kumar, learned Additional Public

Prosecutor for the State.

The petitioner seeks regular bail in connection with
Karja Police Station Case No. 156 of 2019, registered for the
offences punishable under Section 392 of the Indian Penal
Code.

This is the second attempt on behalf of the petitioner
for grant of regular bail inasmuch as earlier, the prayer for
regular bail of the petitioner was rejected vide order, dated
06.11.2020, passed in Criminal Misc. No. 23574 of 2020, giving
liberty to the petitioner to renew his prayer for bail after six
months from the date of the order, if the trial does not show any
progress.



The allegation, as per First Information Report , is that in the afternoon on 18.06.2019, two persons barged into C.S.P. Office and demanded a deposit slip and forcibly breaking the door entered into the C.S.P. Office and on the gun point looted cash of Rs.2,50,000/- which was kept in a bag and also looted mobile phone and other bank related documents from the informant.

Learned counsel for the petitioner submits that while rejecting the bail application of the petitioner earlier, this Court had granted liberty to the petitioner to renew his prayer, if the trial does not show any progress. Accordingly, learned counsel submits that trial of the petitioner has not yet completed and the petitioner is in custody since 04.02.2020. Learned counsel next submits that petitioner is not named in the FIR and his name has transpired on the basis of confessional statement made by Prem Chandra Kumar and the petitioner himself.

This Court vide order dated 28.07.2021 had called for a report regarding the stage of trial in connection with Karja P.S. Case No.156 of 2019 and in pursuance thereof report dated 17.08.2021 vide letter No. 7264 has been submitted by District & Sessions Judge, Muzaffarpur and from perusal of the same, it appears that altogether five charge-sheet witnesses have



to be examined and up till now none of the witness has been examined and their statement has not been recorded and the trial is not like to concluded in the 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 04.02.2020, 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, Muzaffarpur, in connection with Karja Police Station Case No. 156 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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