

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39349 of 2021

Arising Out of PS. Case No.-284 Year-2015 Thana- DINARA District- Rohtas

RAJNISH SHARMA Son of Late Paras Nath Sharma Resident of Village -
Indour, P.S.- Dinara, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mrs.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Dinara P.S. Case No. 284
of 2015 corresponding to Sessions Trial No. 364 of 2017,
registered for the offence punishable under Section 302 and
other allied sections of the Indian Penal Code.

Earlier the bail application of petitioner was rejected
vide order dated 11.01.2021 in which report of the trial court
was noticed in which it was stated that 10 witnesses out of 14
chargesheeted witnesses have already been examined. Even
after a lapse of more than 08 months, 04 witnesses are yet to be
examined and there is no substantial progress in the trial and it



is still at the same stage. Petitioner is in custody since 12.08.2016 having clean antecedent and petitioner has remained in judicial custody for more than five years.

Considering the period of custody and the fact that there is no substantial progress in trial, the petitioner above-named, is directed to 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 learned Additional Sessions Judge XV, Rohtas at Sasaram in connection with Dinara P.S. Case No. 284 of 2015 corresponding to Sessions Trial No. 364 of 2017, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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