

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 43769 of 2021

Arising Out of PS. Case No.-89 Year-2019 Thana- CHANDRADIP District- Jamui

Man Singh @ Manna Singh S/O- Anil Singh Resident Of Village- Bara Solapur, P.S.- Chandradeep, District- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 15-12-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Kumar Veerendra Narayan, learned APP for the State.

This is the third attempt of the petitioner to obtain regular bail in connection with Chandradeep P.S. Case No. 89 of 2019 registered for the offences punishable under Sections 302/201/120(B)/34 of the Indian Penal Code.

Mr. Nawal Kishore Singh, learned counsel for the petitioner submits that this petitioner happens to be the *mosera* brother-in-law (*sala* of the elder brother of the deceased). He has been involved in this case alleging that he was a part of the conspiracy.

Learned counsel submits that the petitioner is in



custody in connection with this case since 29.07.2019 and earlier while rejecting his prayer for bail in second attempt, this Court had directed the learned court below to proceed with the trial without granting any unnecessary adjournments and that the prosecution must cooperate in course of trial but till date the trial has not begun.

Learned APP for the State has though opposed the prayer for bail of the petitioner but does not dispute that the case is based on circumstantial materials and the petitioner has remained in custody for almost two and half years.

This Court had called for a report from the learned trial court. The latest trial court's report as contained in Letter No. 97 dated 04.12.2021 shows that the records have been committed to the court of Sessions Judge and it is fixed for appearance.

Apparently, till date the charge has not been framed and the petitioner has remained in custody for almost two and half years, he has otherwise no criminal antecedent, this Court, therefore, directs release of the petitioner above named on bail on furnishing of bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in



connection with Chandradeep P.S. Case No. 89 of 2019, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And further condition that the petitioner shall attend the case on each and every date fixed before the trial court and two consecutive defaults in putting appearance shall invite action towards cancellation of bail bond of the petitioner.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

