

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48279 of 2021

Arising Out of PS. Case No.-88 Year-2019 Thana- LAURIA District- West Champaran

Sanjay Thakur S/O Late Kamlesh Thakur R/O Village-Makari, P.S-Lauriya,
District-West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 06-10-2021 Heard learned counsel for the parties.

Earlier, the bail petition of petitioner was rejected, vide order dated 20.10.2020 passed in Cr.Misc. No. 27663 of 2020.

On last occasion, vide order dated 01.09.2021, a report was called for from the court below regarding stage of the trial, which has been received and kept at flag 'Z'. From perusal of the same, it appears that though, charges have been framed on 19.02.2020, but till date, not a single witness has been examined.

It is submitted on behalf of the petitioner that petitioner is in custody since 31.08.2019 and there is no progress in the trial. It is further submitted that co-accused Mukesh Thakur, who was also alleged to have assaulted the



deceased, has already been granted bail by a coordinate Bench of this Court, vide order dated 29.09.2021 passed in Cr.Misc. No. 46764 of 2021

Considering the period of custody, inadequate progress in the trial and the fact that one co-accused has already been granted bail, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IX, Bettiah, West Champaran in connection with S.Tr. No. 102 of 2020, arising out of Lauriya P.S. Case No. 88 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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