

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47236 of 2021

Arising Out of PS. Case No.-268 Year-2019 Thana- ITARHI District- Buxar

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Jitendra Chouhan S/o- Dayashankar Chouhan @ Dayashankar Chauhan
Resident of Village- Mahadah, P.S.- Buxar Muffasil, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramakant Yadav

For the Opposite Party/s : Mr.Md. Ataur Rahman

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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 05.02.2021 passed in Cr.Misc. No. 38137 of 2020.

On last occasion, vide order dated 25.08.2021, a report was called for from the Trial Court regarding stage of the trial, which has been received and kept at flag 'X'. The report discloses that charge has already been framed on 31.03.2021 and the case is fixed for evidence.

It is submitted on behalf of the petitioner that petitioner is in custody since 06.12.2019 and there is no adequate progress in the trial.

Learned A.P.P. for the State has opposed the bail petition.



Considering the period of custody and inadequate progress of trial, 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 A.C.J.M. - IV, Buxar in connection with Itarhi P.S. Case No. 268 of 2019 (G.R. No. 2952 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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