

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50431 of 2021

Arising Out of PS. Case No.-511 Year-2019 Thana- SHERGHATI District- Gaya

MANOJ CHAUDHARY S/o Late Raja Chaudhary Resident of Village- Jhaur,
P.S.- Sherghati, District- Gaya. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 17-11-2021 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under section 302 and other sections of the Indian Penal Code.

The allegation against the petitioner is of having assaulted the grand father of the informant with a stick and tangi leading to his death in course of treatment.

It is submitted by learned senior counsel appearing for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 6.7.2020 (Annexure 1) passed in Cr. Misc. no. 14724 of 2020. In spite of the petitioner having remained in custody since 22.12.2019 i.e for nearly two years, there is no progress whatsoever in the learned Court below.

A report was called for from the learned trial Court and as per the report received contained in letter no. 642 dated



20.8.2021 from the A.C.J.M, Sub-Divisional Civil Court, Sherghati neither the case has been committed to the Court of Sessions nor even the police papers have been supplied to the petitioner.

Heard learned APP for the State

Having heard learned counsel for the parties and in view of the facts and circumstances of the case together with the period in custody, the Court directs the petitioner to be enlarged on bail in connection with Sherghati P.S. Case no. 511 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M, Sherghati, Gaya.

It is further directed that the petitioner shall co-operate in the case/trial and in case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may proceed to cancel the bail bond of the petitioner and to take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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