

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38173 of 2020

Arising Out of PS. Case No.-291 Year-2017 Thana- GAURICHAK District- Patna

Ajay Kumar @ Ajay Singh S/o Sugamber Singh Resident of Village-
Niyamatchak, P.S-Gaurichak, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Sharma

For the Opposite Party/s : Ms.Shaheen Begum,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 23-03-2021 Heard learned counsel for the parties.

This is 2nd attempt for grant of bail on behalf of petitioner in Gaurichak P.S. Case No. 291 of 2017, G.R. No. 4261 of 2017, registered for the offence under Section 420, 120B of the Indian Penal Code. Earlier, vide order dated 26.02.2020 passed in Cr.Misc. No. 40235 of 2019 (Annexure 1) with observation that if trial is not concluded within six months, the petitioner would be at liberty to renew his prayer for bail.

On last date i.e. on 05.02.2021, a report was called for from the court below regarding stage of the trial, which has been received and kept at flag 'A'. The report reveals that only cognizance has been taken on 16.07.2018, but charge has not been framed as yet.

Considering the fact that petitioner is in custody since 05.04.2018, having clean antecedent, and there is no adequate



progress in the trial, the bail application 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., Patnacity, Patna in connection with Gaurichak P.S. Case No. 291 of 2017, G.R. No. 4261 of 2017, 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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