

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40554 of 2020

Arising Out of PS. Case No.-69 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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MANZOOR ALAM Son of Late Sanif Sah @ Sanif Alam Resident of
Village- Mithansarai, P.S.- Ahiyapur, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bela Singh
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 20.02.2019 in connection with Kanti P.S. Case No. 69/19 registered for the offences punishable under Sections 302 of the Indian Penal Code.

It appears that earlier the bail application of the petitioner was rejected vide order dated 19.02.2020 with an observation to conclude the trial within a period of six months and if not concluded, the petitioner will be at liberty to renew his prayer for bail.

It is submitted that even after a lapse of more than one year, trial has not been concluded and only five witnesses have



been examined so far. It is further submitted that similarly situated co-accused Kantu Sahani and Munchun Paswan have already been granted bail by this Court vide order dated 12.04.2019 and 03.07.2019 passed in Cr. Misc. No. 26429 of 2019 and Cr. Misc. No. 46191 of 2019 respectively.

Vide order dated 09.02.2021, a report was called for with regard to present stage of trial from the Court of learned 12th Additional Sessions Judge, Muzaffarpur which is kept at Flag 'P'. From perusal of the aforesaid report dated 19.02.2021, it appears that till date five witnesses have been examined.

Considering the nature of accusation against the petitioner and the stage of trial, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned 12th Additional Sessions Judge, Muzaffarpur in connection with Kanti P.S. Case No. 69/19, subject to following conditions:-

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates



without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers 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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