

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56943 of 2021

Arising Out of PS. Case No.-367 Year-2016 Thana- BETTIAH CITY District- West
Champaran

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SATISH SHARMA Son of Sri Kishori Sharma Resident of Village -
Banuchhapar, P.S.- Bettiah Muffasil (Banuchhapar O.P.), District - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.H.A. Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-11-2021 Heard the parties.

The petitioner seeks bail in a case registered for the
offence punishable under Section 387 of the IPC and sections 3/4
of the Explosive Substances Act.

Earlier, the prayer for bail of this petitioner was rejected
vide order dated 08.01.2021 passed in Cr. Misc. No.30203 of
2020 by this Court with an observation that the petitioner may
renew his prayer for bail, if the trial is not concluded within six
months.

The petitioner has now filed this application for bail. Vide
order dated 06.10.2021, a report was called regarding the stage
of trial.

In compliance thereof, a report dated 26.10.2021 has been



sent by the learned Additional Sessions Judge-III cum-Spl. Judge (M.P./M.L.A.), Bettiah, West Champaran and kept at flag 'R', whereby it is submitted that out of seven witnesses, only one witness has been examined till date and further assured that within two years time, the trial would be concluded.

Considering the fact that no progress has been made in the court below, the above named petitioner, who is in custody since 19.03.2018 i.e. for more than three years, is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bettiah Town P.S. Case No.367/16 (S.T. No.237/19), subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate



the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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