

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79744 of 2019

Arising Out of PS. Case No.-310 Year-2017 Thana- KATEYA District- Gopalganj

Ashok @ Pappu Ram @ Ashok Ram @ Ashok Prasad Son of Late Bachu Ram @ Late Bechu Ram Resident of Village - Pipara, P.S.- Vijaypur, District - Gopalganj (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-04-2021 Heard learned counsel for the petitioner and learned A.P.P for the State through video conferencing.

The petitioner has renewed his prayer for bail in connection with Trial No.2065 of 2019 arising out of Kateya P.S. Case no. 310 of 2017 registered under section 395 of the Indian Penal Code against nine unknown.

As per allegation in the F.I.R., the idol of the deity of the temple was looted by unknown accused persons and F.I.R. was registered against nine unknown. The name of the petitioner transpired in course of investigation when the idol was recovered on the confessional statement of the petitioner.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected



vide order dated 9.4.2018 passed in Cr.Misc. no. 20791 of 2018 and order dated 28.3.2019 passed in Cr.Misc. no. 3577 of 2019. Inspite of the petitioner being in custody since 24.10.2017 i.e for more than 3 years and 5 months, there is no progress whatsoever in the trial.

By order dated 9.3.2021 a report was called for which has been received. As per the report the trial has not progressed because of the non-appearance of the other accused persons who are on bail.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature allegation together with the period of the petitioner in custody, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Trial No.2065 of 2019 arising out of Kateya P.S. Case no. 310 of 2017 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 Additional Chief Judicial Magistrate-15, Gopalganj.

It is further directed that the petitioner shall remain personally present in Court on each date of the trial. In case of



the petitioner's absence for reasons not to the satisfaction of the learned trial Court, the learned trial Court may take steps to cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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