

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3896 of 2022

Arising Out of PS. Case No.-590 Year-2019 Thana- MANER District- Patna

Shyamkant Rai @ Shyamkant Singh Son Of Late Raj Nandan Rai @ Raj
Nandan Singh R/O Village- Khaspur, P.S.- Maner, District- Patna
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.P.N.Shahi, Sr. Advocate Mr.Dhirendra Kumar, Advocate
For the Opposite Party/s	:	Mr.Sanjay Kumar Tiwary, APP
For the Informant	:	Mr.Rajesh Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 26-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Maner
P.S. Case No. 590 of 2019 registered for the offence under
Sections 147, 148, 149, 387, 307, 302, 504 and 506 of the Indian
Penal Code and Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and is
in custody since 01.12.2019.

At the outset learned counsel for the petitioner
submitted that present is the second bail petition of the petitioner,
as on earlier occasion, prayer of bail of this petitioner was
declined by the Hon'ble Court, while dealing business through



Cr. Misc. No. 31435 of 2020 vide order dated 04.01.2021.

It is submitted that while rejecting the prayer of bail of the petitioner on earlier occasion, it was directed by this Court that trial has to be concluded within one year, after framing of charge, by taking the matter, on board on day to day basis with liberty to the petitioner to renew his prayer of bail, if trial is not concluded as directed. It is submitted that despite of request to learned Trial Court, till date, charge has not been framed in this case and, certainly, the petitioner cannot be kept behind the bars for indefinite time period, in want of trial.

Learned APP duly assisted by learned counsel for the informant, opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, as yet charge is to be framed in this case, where almost no there is no progress in trial after about two (2) years of the specific direction of this Court, where petitioner is in custody since 01.12.2019 coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Maner P.S. Case No. 590 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 learned Vth Additional District Judge,



Danapur, District-Patna/concerned Court, subject to the following conditions:

- “(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the learned Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the learned Trial Court, only on medical ground of the petitioner duly supported by the documents.
- (ii) That one of the bailors shall be deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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