

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24396 of 2022

Arising Out of PS. Case No.-218 Year-2020 Thana- DAUDNAGAR District- Aurangabad

SURENDRA PASWAN Son of Rajkumar Paswan Resident of village -
Bardih, P.S.- Imamganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Adv. Mr.Paras Nath
For the Opposite Party/s :		Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 17-08-2022 Heard Mr. Rajendra Narain, learned senior counsel for
the petitioner and learned Additional Public Prosecutor for the
State.

The petitioner has renewed his prayer for regular bail
in connection with Daudnagar PS Case No. 218 of 2020
registered under Section 395 / 397 of the IPC inasmuch as on
earlier two occasions the bail application of the petitioner *vide*
Cr. Misc. No. 40363 / 2020 & Cr. Misc. No. 53635 / 2021 was
rejected by this court. This is 3rd attempt for bail on behalf of the
petitioner.

Learned senior counsel for the petitioner submits that
petitioner is in custody since 07.08.2020 i.e. for about more than
two years and from the date of last rejection of bail application



the trial has not progressed substantially. He next submits that charges have not been framed and the case has only been committed to the court of Sessions and none of the witnesses has been examined by the prosecution as yet. The other co-accused persons have been granted bail by different Co-ordinate Benches of this Court.

This Court vide its order dated 13.07.2022 called for a report from the court below regarding the stage of trial and in pursuance thereof learned S.D.J.M., Daudnagar, Aurangabad has submitted its report vide letter no. 32 / 2022 dated 29-07-2022 and from perusal of the same it appears that none of the witnesses has been examined by the prosecution.

Taking into consideration the period of custody of the petitioner, tardy progress of the trial, the fact that some of the co-accused persons have been granted bail by different Co-ordinate Benches of this Court and the petitioner is having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate,



Daudnagar, Aurangabad (Bihar) in connection with Daudnagar
PS Case No. 218 of 2020 subject to the following condition:-

(a) that the petitioner shall remain present on
each and every date during the course of trial and in
case of default on two consecutive dates on the part
of the petitioner, his bail bond shall liable to be
cancelled.

(Anil Kumar Sinha, J)

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