

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25502 of 2022

Arising Out of PS. Case No.-437 Year-2019 Thana- BARHARA District- Bhojpur

1. TAN TAN BIND Son of Natha Bind Resident of Village - lauhar Farna, P.s.- Barhara, Distt.- Bhojpur at Ara.
2. Sona Lal Bind Son of Natha Bind Resident of Village - lauhar Farna, P.s.- Barhara, Distt.- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 10-08-2022 Heard Mr. Manoj Kumar Singh, learned counsel for the petitioners and Dr. Indihar Kumari, learned Additional Public Prosecutor appearing for the State.

Petitioners seek regular bail in connection with Barhara P.S. Case No.437 of 2022 registered for the offences punishable under Sections 147, 341, 323, 307 and 302 of the Indian Penal Code.

This is second attempt for grant of regular bail on behalf of the petitioners inasmuch as earlier the bail application of the petitioners was rejected by this Court vide order dated 13.04.2021 passed in Cr. Misc. 40261 of 2020 with liberty to renew his prayer for grant of regular bail after one year if the



trial does not register any progress.

The allegation is that the petitioners along with three other co-accused assaulted the husband of the informant by means of *lathi* i.e. a hard blunt substance.

Learned counsel for the petitioners submits that from the date of last rejection of bail application, the trial has not shown any substantial progress and the examination of prosecution witnesses has not yet been started. He next submits that the petitioners have got no criminal antecedents and the allegation against them is general and omnibus in nature.

This Court vide order dated 20.07.2022 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned Additional District & Sessions Judge-XVIII, Bhojpur, Ara, dated 26.07.2022, is on record and from perusal of the same, it appears that the charges against the petitioners have been framed, but no prosecution witnesses has been examined by the Trial Court as yet.

Taking into consideration the fact that the petitioners are in custody since 27.01.2020 having no criminal antecedents and there is tardy progress in the trial, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be



released on regular bail on furnishing bail bonds of Rs.25,000/-
(Twenty five thousand) each with two sureties of the like
amount each to the satisfaction of learned Chief Judicial
Magistrate, Bhojpur at Ara, in connection with Barhara P.S.
Case No.437 of 2019.

(Anil Kumar Sinha, J)

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