

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36076 of 2022

Arising Out of PS. Case No.-82 Year-2020 Thana- DIGHA District- Patna

SANTOSH KUMAR Son of Rameshwar Prasad Resident of Village -
Makhdumpur, Gate No.- 90, P.S.- Digha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Adv.
		Mr. Rajesh Kumar, Adv.
For the Opposite Party/s	:	Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-07-2022 Heard Mr. Rama Kant Sharma, learned senior counsel
for the petitioner and Mr. Akhileshwar Dayal, learned APP for
the State.

Petitioner has renewed his prayer for bail inasmuch as
earlier, on two occasions, bail of the petitioner was rejected on
merits *vide* order dated 06.10.2020 passed in Cr. Misc. No.
20932/2020 and *vide* order dated 22.12.2021 passed in Cr. Misc.
No. 64081/2021 respectively, and at the time of last rejection the
petitioner was given liberty to renew his prayer for bail after six
months, if the trial does not show any progress.

Learned senior counsel submits that at the time of
hearing of bail application for the second time, this Court had
taken note of the report submitted by the learned court below in



which the Court below had given estimated time for completion of trial within a period of six months after appearance of the co-accused, Jugnu Kumar. He next submits that the said co-accused, Jugnu Kumar was granted bail by a Co-ordinate Bench of this Court *vide* order dated 22.03.2021 passed in Cr. Misc. No. 31944/2020, but after grant of bail he has not appeared in the trial and accordingly, the trial has not registered any progress. The petitioner has stated in para-12 of this application, that the trial is still at the same stage as it was on 22.12.2021 i.e., the date of last rejection. Petitioner is in custody since 18.02.2020.

Regards being had to the submissions made by the parties and taking into consideration the fact that this is the third attempt for bail on behalf of the petitioner, he is in custody since 18.02.2020 and the trial has not made any substantial progress since the last rejection of the bail application of the petitioner, accordingly, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, namely, SANTOSH KUMAR be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate-Patna in connection with Digha PS Case No.



82/2020, subject to the condition that the petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

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