

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 36762 of 2022**

Arising Out of PS. Case No.-496 Year-2019 Thana- PAROO District- Muzaffarpur

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KARAN KUMAR SON OF SUBHASH RAI RESIDENT OF VILLAGE-
FATEHABAD, P.S.- PAROO, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Udit Narayan Singh, Arun Kr Sinha, Advocates
For the Opposite Party/s : Mr Binod Kumar, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

6 21-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, **APP**) appearing for
the State of Bihar.

The petitioner seeks bail in Sessions Trial No 64 of
2022 arising out of Paroo Police Station (for brevity, **PS**) Case
No 496 of 2019 registered for the offence punishable under
Sections 147, 148, 149, 323, 302 of Indian Penal Code.

Petitioner's prayer for bail has earlier been rejected by
this Court on 28.06.2021 in Cr Misc No 369 of 2021. The same
was considered on merits and rejected having regard to the
nature of assault attributed to him by **lathi**.

Learned counsel for the petitioner submits that the
petitioner has remained in custody for few days less than three



years since his arrest on 06.01.2020.

Learned APP has opposed the prayer for bail.

This Court has requisitioned a report from the trial Court. Report dated 11.11.2022 suggests that four prosecution witnesses including informant, doctor and Investigating Officer remain to be examined.

Having regard to the petitioner's custody, viewed with the sluggish progress of the trial, the petitioner's defence that the deceased was of unstable and cantankerous mind as also his clean antecedent, this Court, for the purposes of grant of bail, is, thus, inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge X, Muzaffarpur in Sessions Trial No 64 of 2022 arising out of Paroo PS Case No 496 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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