

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44190 of 2022**

Arising Out of PS. Case No.-15 Year-2019 Thana- AKILPUR District- Saran

SATYENDRA RAI Son of Ramashray Rai Resident of Village - Kedalpura,  
P.S.- Akilpur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vishwa Mohan Kumar Sinha

For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      31-08-2022                      Heard the parties.

The petitioner has renewed his prayer for regular bail in connection with Sessions Trial No. 373 of 2019 arising out of Akilpur PS Case No. 15 of 2019 registered under Section 304 (B) / 201 / 34 of the IPC.

This is third attempt for bail on behalf of the petitioner inasmuch as the petitioner had moved earlier for grant of bail *vide* Cr. Misc. 26782 of 2020 but the same was dismissed as withdrawn with liberty to the petitioner to renew his prayer for bail afresh after nine months by order dated 22.03.2021. Subsequently the petitioner again moved for grant of bail in Cr. Misc. No. 5533 of 2022 (Annexure- 1/ A to the present petition) and this court rejected the prayer for bail of the petitioner by order dated 30.03.2022 on the ground that the trial is at the



verge of completion and out of eight witnesses five witnesses have already been examined.

Learned counsel for the petitioner submits that from the date of last rejection of the bail application of the petitioner on 30.03.2022 trial has not progressed. Referring to the order sheet of the court below after 30.03.2022 learned counsel submits that the petitioner was produced before the court on each and every date with custody warrant but no witnesses was examined by the prosecution. He further submits that petitioner is in custody since 1<sup>st</sup> April 2019 i.e. for about three years five months.

Regard being had to the submissions made by the parties and taking into consideration the period of custody of the petitioner i.e. since 01 / 04 / 2019, the fact that trial has not progressed further and this is 3<sup>rd</sup> attempt for bail on behalf of the petitioner, 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. 20000/- ( twenty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge 3<sup>rd</sup> Saran at Chapra in connection with Sessions Trial No. 373 of



2019 arising out of Akilpur PS Case No. 15 of 2019 on the following condition:-

(i) 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)**

praful/-

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