

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55868 of 2021

Arising Out of PS. Case No.-199 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

SHEKH MSEEHUDDIN @ SHEKH MASAUDEEN S/o Shekh Hakimuddin
R/o Village- Chainpur, P.S.- Chainpur, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 06-05-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has renewed his prayer for bail in connection with a case registered under sections 307, 324, 326 and other sections of the Indian Penal Code.

As per the prosecution case, the petitioner is said to have assaulted Danish Khan on his head leading to grievous injuries.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 12.2.2021 (Annexure-1) passed in Cr. Misc. no.32977 of 2020. Inspite of more than one year having passed since the said rejection and the petitioner having remained in custody since 27.6.2020, there is no progress in the trial in the



learned trial court and not even charge has been framed. The petitioner undertakes to cooperate in the trial.

Heard learned A.P.P. for the State.

A report was called for from the learned trial court. As per the report received contained in letter dated 12.4.2022 of the learned Additional District and Sessions Judge V, Kaimur at Bhabua, charges have not been framed as yet and were expected to be framed on the next date which was 22.4.2022.

Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the material on record together with the petitioner having remained in custody for 1 year 10 months, the Court directs the petitioner to be enlarged on bail in connection with Chainpur P.S. Case no.199 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua.

It is further directed that the petitioner shall cooperate in the trial and shall remain physically present in the learned trial court on each date of the trial. In case of the petitioner's absence on any date for reasons not to the satisfaction of the learned trial court or if the learned trial court is of the opinion



that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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