

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48826 of 2022**

Arising Out of PS. Case No.-544 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Praveen Soni @ Pravistra @ Pravinda, aged about 32 years, (M) S/o Late
Asarfi Soni Resident of Village- Haibatpur Koriya, P.S.- Muffasil, District-
Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Lal Mani Sharma, Adv.
For the State : Mr. Anant Kumar 1, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

3 07-12-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is expected to
honour his undertaking given in the instant case for depositing
the requisite court fee and to remove the defects as pointed out
by office when called upon to do so by the office.

The petitioner seeks bail in Begusarai Muffasil PS Case
No.544 of 2019, instituted for the offence punishable under
Sections 386, 506 and 34 of the Indian Penal Code.

Twice application for bail has been rejected by this
Court earlier. First rejection is under order 25.11.2020 passed in
Cr. Misc. No. 27408 of 2020. The second rejection is under
order dated 02-03-2022 passed in Cr. Misc. No. 30610 of 2021.



The petitioner, thereafter, has renewed his prayer before the learned Court below which has been rejected on 16.06.2022.

The learned counsel for the petitioner submits that in view of earlier consideration on merits, he would be confining his submission to the fact that the petitioner has remained in custody now for more than three years. It is also submitted that there is no progress at the trial. In view of the aforesaid submissions earlier, this Court had requisitioned the report from the learned Trial Court. Pursuant to which, report dated 05-12-2022 has been received, which is clear in stating that after framing of charge on 04-03-2022, bailable warrants, non-bailable warrants have been issued and execution report has been received. However, no prosecution witness has been examined till date. It is also submitted that the petitioner is on bail in the five cases pending against him since before as per disclosure made in paragraph No 3 of the bail petition.

The learned APP submits that the petitioner is a man having antecedent and, therefore, opposes the prayer for bail.

Considering the rival submissions, the period of custody as also the fact that there is virtually no progress at the trial after framing of charge in the Month of March, this Court, for the purposes of grant of bail, is inclined to accept the



submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 8th Additional Sessions Judge- Begusarai, in connection with Begusarai Muffasil P. S. Case No. 544 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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