

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.59608 of 2021**

Arising Out of PS. Case No.-362 Year-2019 Thana- MOUZAHDIPUR District- Bhagalpur

ASHISH KUMAR SINGH @ MANU Son of Late Ranjan Kumar Singh @  
Late Raman Kumar Singh Resident of Village - Sabour, P.s.- Sabour, Distt.-  
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN  
ORAL ORDER**

4      05-01-2022      Heard the parties through virtual court proceedings.

Petitioner seeks regular bail in connection with  
Mouzahidpur P.S. Case No.362 of 2019, for the offence  
punishable u/s 302/34 of the IPC and section 27 of Arms Act.

Vide order dated 01.12.2021, a report was called for,  
regarding the stage of trial. In compliance thereof, a report dated  
16.12.2021 sent by the learned Sessions Judge, Bhagalpur, is  
kept at flag 'R' whereby it is submitted that total seven  
prosecution witnesses are named in the charge sheet for  
examination and charge has been framed on 08.10.2021. A  
request has been made to grant one year time to conclude the  
trial.

Learned counsel for the petitioner submits that the



petitioner is not named in the FIR and on the confessional statement of the co-accused, he has been made accused in the present case. No incriminating article has been recovered from the conscious physical possession of the petitioner. No T.I. parade has been conducted till date and petitioner has one criminal antecedent. Similarly situated co-accused namely has been granted bail by this court vide Cr. Misc. No.9258 of 2021 dated 08.09.2021. It is further submitted that petitioner is languishing in custody since 27.02.2020 i.e. more than one and a half year and there is no chance of conclusion of the trial in the near future due to the prevailing pandemic situation, as such, petitioner may be enlarged on bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Mouzahidpur P.S. Case No.362 of 2019, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform



the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

**(Anjani Kumar Sharan, J)**

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