

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51666 of 2022

Arising Out of PS. Case No.-59 Year-2020 Thana- TEYAR District- Bhojpur

JAGDISH MUSHAR S/o Gopal Mushar R/o village- yadavpur, P.S.- Tiya,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-12-2022 Heard Mr. Praveen Kumar, learned counsel for
the petitioner and Mr. Md. Aslam Ansari for the State.

The petitioner seeks bail in connection with Sessions Trial No. 73 of 2021, arising out of Tiya P.S. Case No. 59 of 2020 dated 13.08.2020 instituted for the offence under Section 147, 148, 149, 341, 323, 308, 304 and 504 of the Indian Penal Code.

The petitioner along with many others is alleged to have assaulted the husband of the informant as a result of which he was injured.

The learned counsel for the petitioner has submitted that the victim received injuries because of falling on the road in an inebriated state.

The petitioner is in custody since 28.11.2020.

Up till now, only three witnesses have examined at the trial and there are no chances of the trial being



concluded in near future.

Even with respect to the accusation, there is nothing specific against the petitioner.

One of the accused persons of this case, similarly situated, has been granted bail by a Bench of this Court way-back in the year 2021 (on 18.08.2021 in Cr. Misc. No. 24372 of 2021).

Regard being had to the aforestated facts, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge VIII, Bhojpur at Ara in connection with Sessions Trial No. 73 of 2021, arising out of Tiwar P.S. Case No. 59 of 2020.

However, the petitioner shall participate in the trial and in case of his absence from the trial proceedings on two consecutive occasions without prior permission from the trial court, the bail granted to him shall be rendered liable to be cancelled.

The application stands allowed.

(Ashutosh Kumar, J)

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