

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.63328 of 2021**

Arising Out of PS. Case No.-577 Year-2019 Thana- ARA NAGAR District- Bhojpur

Sagar Paswan S/O Arun Paswan R/O Village- Gausganj, P.S.- Ara Town,
District- Bhojpur (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 05-01-2022 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned APP for the State.

This is the second attempt of the petitioner to obtain regular bail in connection with Ara Nagar P.S. Case No. 577 of 2019 registered for the offences punishable under Sections 341, 323, 504, 307, 34 of the Indian Penal Code. He is in custody since 10.01.2020. The petitioner has otherwise no criminal antecedent.

Learned counsel for the petitioner submits that earlier the prayer for bail of the petitioner was rejected considering that he had allegedly caused a grievous injury to the informant but



by now the petitioner has remained in custody for almost 2 years and the trial is not likely to be concluded in near future. It is further pointed out that earlier while rejecting the prayer for bail, this Court had granted liberty to the petitioner to renew his prayer for bail after 6 months if the trial is not concluded.

Learned APP has opposed the prayer for bail of the petitioner.

This Court had called for a report from the learned court below. The report as contained in letter no. 68 dated 29.11.2021 is available on the record. From this report, it appears that till today the prosecution has not examined any witness.

Considering this aspect of the matter that the trial is not likely to be concluded in near future and further that the petitioner has no criminal antecedent he has already remained in jail for 2 years, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, XVIII, Bhojpur at Ara in connection with Ara Nagar P.S. Case No. 577 of 2019, subject to the conditions as laid down under Section 437(3) Cr.P.C.



And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

