

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65819 of 2021

Arising Out of PS. Case No.-217 Year-2015 Thana- TEGHRHA District- Begusarai

BALRAM KUMAR S/o Late Rampadarath Rai @ Ram Padarath Ray R/o
village- Gaura, P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 19-01-2022 Heard Mr. Sandip Kumar Gautam, learned counsel

for the petitioner and Mr. Satyendra Prasad, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Sessions Trial No. 156 of 2017 arising out of Teghra P.S Case

No. 217 of 2015 registered for the offences punishable under

Sections 302, 34, 120(B) of the Indian Penal Code 1860 and

Section 27 of the Arms Act.

This is fourth attempt for grant of regular bail on

behalf of the petitioner inasmuch as earlier on three occasion,

the bail application of the petitioner were rejected by this Court

vide orders dated 16.2.2016, 23.8.2017 and 6.4.2021 passed in

Cr. Misc. 5291 of 2016, 38712 of 2017 and 24643 of 2020



respectively with liberty to renew his prayer for grant of regular bail after six months if the trial does not show any progress.

The allegation against the petitioner is that he fired upon the deceased causing firearm injury on his chest which led to the death of the deceased.

Learned counsel for the petitioner submits that the petitioner is in custody since 15.7.2015 i.e. for about six years and six months and the trial is not likely to be concluded in near future due to Covid-19 pandemic inasmuch as the same situation was prevailing at the time of rejection of 3rd bail application of the petitioner that out of ten charge sheet witnesses, only four witnesses have been examined, cross-examined and six witnesses are yet to be examined.

This Court by order dated 08.12.2021 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the court of Additional District & Sessions Judge-I- cum Spl. Judge, NDPS Act, Begusarai vide its letter No. 163 dated 16.12.2021 has submitted its report stating therein that out of ten charge-sheet witnesses, four witnesses have been examined, cross-examined and six witnesses are yet to be examined.

Having regard to the submission made by the parties



and taking into consideration the material on record, the fact that the petitioner is in custody since 22.7.2015 i.e. for about six years and six months, the trial is not likely to be concluded in near future due to Covid-19 pandemic and the petitioner was given liberty to renew his prayer for bail after six months vide earlier order passed by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Begusarai, in connection with Sessions Trial No. 156 of 2017 arising out of Teghra P.S Case No. 217 of 2015 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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