

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4601 of 2021

Arising Out of PS. Case No.-387 Year-2020 Thana- GARKHA District- Saran

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DHARMENDRA SINGH S/o Surendra Singh R/o Village - Kaushalpur
(Tahirpur), P.S. - Garkha, District – Saran. Appellant
Versus

1. The State of Bihar
 2. Munni Devi Wife of Rajesh Ram R/o- Kaushalpur (Tahirpur), P.S.- Garkha
Dist- Saran
- Respondents
- =====

Appearance :

For the Appellant/s : Mr.Anant Kumar Bhaskar, Advocate
For the Respondent/s : Mr.Binay Krishna, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 13-07-2022 Heard learned counsel for the appellant and Mr. Binay
Krishna, learned Spl.P.P. for the State.

The informant has entered appearance and the name of the
learned counsel is also printed on the cause list but there is no
representation on behalf of the informant.

Learned counsel for the appellant has pointed out the
order dated 13.04.2021 passed by this Court in Cr. Appeal (SJ) No.
292 of 2021. It is submitted that by the said order while refusing to
grant bail to the appellant, this Court had observed that the appellant
may renew his prayer for bail after 6 months if the trial is not
concluded.

Learned counsel submits that despite lapse of more than
one year, the trial has not been concluded. In the meantime, the
appellant was granted provisional bail to attend the marriage of his
daughter and after attending the same, he has surrendered on 2nd



June, 2022.

Learned counsel submits that in such circumstance, considering that the appellant has remained in custody for about 2 years and the trial is not likely to be concluded in near future, he deserves privilege of bail.

Mr. Binay Krishna, learned Spl.P.P. for the State does not dispute that the appellant has remained in jail for about 3 years and as per the previous observations of this Court he has renewed his prayer for bail.

In the given facts and circumstances where the appellant has renewed his prayer for bail after expiry of 9 months from the date of previous rejection of prayer for bail and it is found that the appellant has remained in jail for about 2 years but the trial is not likely to be concluded in near future, this Court sets aside the impugned order and directs release of the appellant above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge SC/ST, Saran at Chapra in connection with Sessions Trial No. 129 of 2021 arising out of Garkha P.S. Case No. 387 of 2020.

(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'.

