

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67718 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- BIRUPUR District- Lakhisarai

NIKKU JHA @ NIKKU KUMAR @ NIKKU KUMAR JHA S/o Late
Balgovind Jha @ Balgovind Jha R/o village - Birupur, P.S. - Birupur, District-
Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 149, 341, 323, 324, 307,
379, 504 and 506 of the Indian Penal Code.

This is the second attempt of the petitioner for seeking
bail. Earlier by order dated 27.01.2021 in Cr. Misc. No. 28131 of
2020 the prayer for bail of the petitioner was rejected with liberty
to the petitioner to renew his prayer for bail, if no progress takes
place in the trial for next nine months.

Learned counsel for the petitioner submits that till date
charges have not been framed and, as such, trial has not
commenced and the petitioner has remained in custody about two



years. Learned counsel further submits that the present bail application has been filed in terms of the liberty granted by order dated 27.01.2021.

Considering the submissions made by the learned counsel for the petitioner and the facts that the case was committed in the month of December, 2021 and that too after filing of the present bail application and thereafter till date charges have not been framed, as such, there is no progress in the trial, the petitioner, above named, is directed to be released 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 learned Court below where the case is pending in connection with G.R. No. 687 of 2020 arising out of Birupur P.S. Case No. 22 of 2020, subject to the condition that one of the bailors shall be the father-in-law (Sita Ram Jha) of the petitioner.

The petitioner shall be released only if the learned court below is satisfied that till 13.04.2022, charges against the petitioner were not framed.

(Satyavrat Verma, J)

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