

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70081 of 2021**

Arising Out of PS. Case No.-137 Year-2011 Thana- SAHEBPUR KAMAL District-
Begusarai

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BHIBHASH RAI @ BIBHAS RAY @ BIBHASH ROY S/o Late Devi Roy
@ Late Debo Ray R/o village- Raghunathpur, Ward No. 6, P.S.- Sahebpur
Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-02-2022 Heard Mr. Sandip Kumar Gautam, learned counsel
for the petitioner and Mr. Shantanu Kumar, learned APP for the
State *via* video conferencing.

Petitioner has renewed his prayer for bail inasmuch as
earlier bail application of the petitioner was rejected by this
Court on 09.02.2021 in Cr. Misc. No. 24435/2020 giving him
liberty to renew his prayer for bail after nine months if the trial
does not conclude.

Learned counsel for the petitioner submits that
petitioner has remained in custody for about 2 and a ½ years i.e.,
since 24.09.2019 and only allegation against the petitioner is
that he assaulted the deceased by means of *Khanti* on his left leg
which is not a vital part of the body. Learned counsel next
submits that the trial has not registered any progress and uptill



now, charges have not been framed.

On the other hand, learned counsel for the State submits that petitioner was absconding for about eight years and on this very ground the bail application of the petitioner was rejected earlier.

This Court *vide* its order dated 05.01.2022 had called for a report regarding stage of trial from the court of 3rd Additional Sessions Judge, Begusarai and in pursuance thereof, the report has been received from the said court stating therein that the charge against the petitioner is likely to be framed after 10.02.2022

Regards being had to the submissions made by the parties and taking into consideration the period of custody of the petitioner for about 2 and a ½ years i.e., since 24.09.2019, I am inclined to grant regular bail to the petitioner after framing of charge.

Accordingly, the petitioner, namely, BHIBHASH RAI @ BIBHAS RAY @ BIBHASH ROY will be released, after framing of charge, on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of 3rd Additional Sessions Judge, Begusarai in connection with Sessions Trial No. 635/2018



arising out of Sahebpur Kamal PS Case No. 137/2011.

(Anil Kumar Sinha, J)

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