

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2173 of 2022

Arising Out of PS. Case No.-141 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

MUNESHWAR PASWAN @ BHUNESHWAR PASWAN Son of Late
Sahdeo Paswan Resident of Village- Lakshmipur, P.S.- Bariyarpur, District-
Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Narayan Singh
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-03-2022 Heard Mr. Satyendra Narayan Singh, learned counsel
for the petitioner and Mr. Bharat Bhushan, learned A.P.P. for the
State.

Petitioner renews his prayer for bail in connection
with Piri Bazar P.S. Case No. 141 of 2019 registered for the
offence under Section 302 / 201 / 120B / 34 of the I.P.C.
inasmuch as earlier the bail application of the petitioner was
rejected by this Court by order dated 26 / 11 / 2020 passed in
Cr. Misc. No. 23756 of 2020 with liberty to the petitioner to
renew his prayer for bail after one year if the trial does not show
any progress.

Learned counsel for the petitioner submits that since
the date of last rejection of the bail application of the petitioner,



only charge has been framed on 25 / 09 / 2021 and none of the witnesses has been examined as yet by the trial court, which would be evident from the report of Additional Sessions Judge -III, Lakhisarai dated 17 / 02 / 2022 sent vide letter no. 11 / 2022 to this court. Petitioner is in custody for about more than two years since 10-02-2020.

This court vide its order dated 02 / 02 / 2022 has called for a report regarding the present stage of the trial and in pursuance thereof report has been furnished by learned Additional District & Sessions Judge-III, Lakhisarai vide letter no. 11 / 2022 dated 17 / 02 / 2022 and from perusal of the same it appears that out of eight charge- sheet witnesses, none of the witnesses has been examined till date.

Regard being had to the submissions made by the parties, taking into consideration the fact that petitioner has remained in custody since 10 / 2 / 2020, his name has transpired on the basis of confessional statement, this is 2nd attempt for grant of bail on behalf of the petitioner, there is no likelihood that petitioner will abscond or tamper with the evidence if released on bail, as such, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bond of Rs. 20,000/-
(twenty thousand) with two sureties of the like amount each to
the satisfaction of learned S.D.J.M., Lakhisarai in connection
with Piri Bazar P.S. Case No. 141 of 2019 on the following
condition:-

(a) that the petitioner shall remain present on
each and every date during the course of trial and in
case of default on two consecutive dates on the part
of the petitioner, his bail bond shall liable to be
cancelled.

(Anil Kumar Sinha, J)

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