

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3323 of 2023

Arising Out of PS. Case No.-85 Year-2021 Thana- PATORI District- Samastipur

Sachin Kumar @ Sachin Singh S/o Narendra Kumar R/o Village-
Mokhtarpur, P.S.- Mahnar, Distt- Vaishali (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Awadhendra Kumar, Adv.

For the Opposite Party/s : Mr. Satendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 25-01-2023 Heard Mr. Awadhendra Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Satendra Narayan
Singh, learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail, who is in custody in
connection with Patori (Mohanpur O.P.) P.S. Case No. 85 of
2021 registered for the offence punishable under Section 395 of
the Indian Penal Code.

Earlier, the prayer for bail of the petitioner was
considered by this Court and having taken into consideration the
materials available on record including the complicity of the
petitioner that he was in constant touch with the other accused
persons and his audio clips collected during the course of
investigation, his prayer for bail was rejected with an
observation to renew his prayer for bail after three months, if
there would not be any substantive progress in the trial.



The order-sheet in connection with the present case bearing Patori P.S. Case No. 85 of 2021 has been brought on record by way of Annexure-4. From perusal thereof, it appears that there is no substantive progress since the date of rejection of the earlier bail application till date.

Learned counsel for the petitioner submits that the other co-accused persons having more or less identical allegations, have been allowed the privilege of bail by the learned co-ordinate Benches of this Court.

Learned Additional Public Prosecutor for the State though opposes the prayer for bail of the petitioner, he shown his inability to confront the submission with regard to any progress of the present case. However, he submits that the petitioner is found involved in four other criminal cases as has been mentioned in paragraph-3 of the bail application.

Considering the aforesaid submissions made on behalf of the parties including the fact of no progress in the case as also the undertaking given by the petitioner that he will cooperate in the trial and will remain present at the time of framing of charge, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of



learned J.M.F.C. Samastipur in connection with Patori (Mohanpur O.P.) P.S. Case No. 85 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and, in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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