

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12389 of 2023

Arising Out of PS. Case No.-5 Year-2006 Thana- KARAKAT District- Rohtas

RAJU PASWAN S/O BHIM PASWAN R/v- Kori, P.S.- Dinara, District-
Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Pratap

For the Opposite Party/s : Mr.Parmanand Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 29-04-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 364 and
511 of the Indian Penal Code, registered in connection with
Karakat P.S.Case No. 05 of 2006.

The learned counsel for the petitioner has submitted
that the charges were framed on 13.09.2013 and Ram Ayodhya
Prasad, P.W.1 was examined on 18.06.2014. Thereafter not a
single witness turned up till the year 2019. The bail bond of the
petitioner was cancelled and N.B.W. as well as processes under
Sections 82 and 83 were issued against the petitioner. The
learned trial court has rejected his bail application on the ground
that the trial delayed for a considerable time due to non-
appearance of the petitioner.

Considering the above facts and circumstances,
specially the period of custody, let the petitioner, above-named,



be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Rohtas at Sasaram in connection with Karakat P.S.Case No. 05 of 2006, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make available available as and when required by the court.
2. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.
- 3. The petitioner shall appear physically on each and every date before the court below till conclusion of the trial and if he fails to appear on two consecutive dates without any reason or unavoidable circumstances, the court below shall be at liberty to cancel his bail bond.**

The learned trial court is directed to expedite the trial.

(Nawneet Kumar Pandey, J)

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