

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9510 of 2023**

Arising Out of PS. Case No.-209 Year-2020 Thana- CHANPATIA District- West Champaran

KHAIRUL BASAR @ NIFIKIR Son of Sheikh Nasim @ Nasim Shekh @  
Nasib Shekh @ Shekh Nasid R/O Senwariya Tola, Bhataha, P.S.- Chanpatiya  
(Sirisiya O.P.), District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      22-03-2023                      Heard Mr. Bimlesh Kumar Pandey, learned counsel  
for the petitioner and Mr. Satyendra Prasad, learned Additional  
Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with  
Sessions Trial No. 332 of 2022 arising out of Chanpatiya  
(Sirisiya OP) P.S. Case No. 209 of 2020 registered for the  
offences punishable under Section 147, 148, 149, 341, 323, 324,  
307 and 302 of the Indian Penal Code.

This is third attempt for grant of regular bail on behalf  
of the petitioner inasmuch as earlier the bail application of the  
petitioner was rejected twice by this Court vide orders dated  
08.12.2021 and 27.07.2022 passed in Cr. Misc. 30653 of 2021  
and 30309 of 2022 respectively. At the time of rejection of



second bail application filed by the petitioner, this Court granted liberty to the petitioner to renew his prayer for grant of regular bail after six months. Petitioner is in custody since 21.12.2020.

Learned counsel for the petitioner submits that the trial is not likely to be concluded in near future and there is no apprehension that the petitioner will abscond or tamper with the evidence.

This Court vide order dated 22.02.2023 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned District & Sessions Judge, West Champaran, Bettiah, dated 17.03.2023 is on record and from perusal of the same, it appears that out of 13 charge sheet witnesses, only three witnesses have been examined. The petitioner is in custody for the last more than two years.

Accordingly, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bettiah, West Champaran, in connection with Sessions Trial No. 332 of 2022 arising out of Chanpatia (Sirisiya OP) P.S. Case No. 209 of 2020



subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

S.Ali/-

(Anil Kumar Sinha, J)

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