

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8411 of 2023

Arising Out of PS. Case No.-515 Year-2021 Thana- DEHRI TOWN District- Rohtas

ABHISHEK KUMAR SINGH @ ABHISHEK SINGH S/o Lakshmandev
Singh R/o Village- Manaura, P.S.- Dehri (M), Distt- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 9276 of 2023

Arising Out of PS. Case No.-515 Year-2021 Thana- DEHRI TOWN District- Rohtas

CHANDAN KUMAR Son of Naresh Singh Resident of Village - Manaura,
P.S.- Dehri (T), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 17044 of 2023

Arising Out of PS. Case No.-515 Year-2021 Thana- DEHRI TOWN District- Rohtas

MINTU SINGH @ BALWANT SINGH Son of Subhash Singh R/v- Manaura,
P.S.- Dehri Muffasil, District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 8411 of 2023)

For the Petitioner/s : Mr. Uma Shankar Singh

For the Opposite Party/s : Mr. Bharat Lal

(In CRIMINAL MISCELLANEOUS No. 9276 of 2023)

For the Petitioner/s : Mr. Uma Shankar Singh

For the Opposite Party/s : Mr. Bharat Lal

(In CRIMINAL MISCELLANEOUS No. 17044 of 2023)

For the Petitioner/s : Mr. Rana Vikram Singh

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR



ORAL ORDER

3 29-03-2023 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

The petitioners seek bail in connection with Dehri
(T) P.S. Case No. 515 of 2021, registered for the offences
punishable under Sections 341, 504, 323, 324, 307, 302/34
of the I.P.C.

The prosecution case as emerges from the FIR is
that on 11.09.2021 at around 12:00 PM, the appellant with
other co-accused persons came on motorcycles and
assaulted the son of the informant/Ritesh Kumar with knife
near *Jharkhandi temple* and consequently, he succumbed to
death.

Ld. counsel for the petitioners submits that the
petitioners had moved this Court earlier for regular bail vide
Cr. Misc. No. 13800 of 2022, Cr. Misc. No. 14172 of 2022
and Cr. Misc. No. 14224 of 2022, respectively, which were
rejected with an observation that if the trial is not concluded
within four months, the petitioners are at liberty to renew
their prayer for bail.

He further submits that since the trial has not been



concluded in the stipulated time, the petitioners, vide present applications, have renewed their prayer for bail.

In this regard, learned counsel for the petitioners has drawn the attention of this court to the report of learned Additional District and Sessions Judge-XVI, Rohtas at Sasaram which shows that charge has been framed in this case on 15.11.2022 against the accused persons and this case is presently pending for the prosecution evidence. Report further shows that out of seven charge-sheeted prosecution witnesses, all witnesses have already been examined in this case. Only three witnesses which are not mentioned in the charge-sheet are yet to be examined. Summons and bailable warrant have already been issued against aforesaid witnesses and letter has been sent to S.P. Rohtas for producing prosecution witnesses. Next date fixed in this case is 03.03.2023 for prosecution evidence.

Considering the aforesaid facts and circumstances, particularly the fact that the trial has not yet been concluded, **this application is allowed**, directing the petitioners, above-named, to be enlarged on bail on their



furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of concerned Court Below/Trial Court in connection with Dehri (T) P.S. Case No. 515 of 2021 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not get hampered on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail



bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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