

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21215 of 2023**

Arising Out of PS. Case No.-264 Year-2018 Thana- RAJAON District- Banka

Md Abdul Rashid @ Babloo, Son of Late Abdul Gafoor, Resident of Village -
Harna Bujurg, P.S. - Rajoun (Nawada Bazar O.P), District. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 12-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Rajoun P.S. Case No. 264 of 2018 dated 15.06.2018 registered
for the offences punishable under Sections 147, 148, 149, 341,
323, 307, 379 & 504 of the Indian Penal Code and Section 27
of Arms Act.

This is a second attempt of the petitioner for the relief
of regular bail after the petitioner's earlier attempt for the same
relief was rejected by this court vide order dated 07.11.2022
passed in Cr. Misc. No. 41614 of 2022 preferred by this
petitioner and now the petitioner has come again for the same



relief mainly on the ground of the liberty given to him in the aforesaid order.

It is submitted by learned counsel for the petitioner that while rejecting the petitioner's earlier prayer, this court had directed the trial court to expedite the trial of the petitioner and take steps to conclude the same in the next one year and petitioner was given liberty to renew his bail prayer if petitioner's trial is not concluded in the said period or no witness is examined by the prosecution in the next three months. It is further submitted that no progress has been made in the petitioner's case after that and in this regard all the order-sheets of petitioner's case between the period of 21.05.2022 and 03.02.2023 have been filed vide Annexure-4 which show that several adjournments have been given to the prosecution for producing the witnesses but no prosecution witness has been examined during that period which shows a lingering attitude of the prosecution in concluding the petitioner's trial.

Learned APP appearing for the State has opposed the bail prayer.

Considering the above submissions, I find substance in the presently preferred second prayer by the petitioner for the relief of regular bail, hence in the opinion of this court, the



petitioner deserves to a lenient approach of this court.
Accordingly, let the petitioner 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 the concerned Court in
connection with Rajoun P.S. Case No. 264 of 2018.

(Shailendra Singh, J)

Rajiv/-

U		T	
---	--	---	--

