

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25444 of 2023

Arising Out of PS. Case No.-53 Year-2020 Thana- VAISHALI District- Vaishali

MD. NAUSHAD S/O LATE MD. HAKEEM R/O Village- Madhaul, P.S and
P.O- Saraiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kalyan Shankar
For the Opposite Party/s	:	Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 28-06-2023 Heard the parties.

Petitioner renews his prayer for regular bail in connection with Vaishali PS Case No. 53 of 2020 dt: 14-02-2020 registered under Section 395 of the IPC inasmuch as earlier bail application of the petitioner was rejected vide Cr. Misc. No. 55244 of 2021 by order dated 20.05.2022.

Six unknown miscreants sitting on two motorcycles overtook the motorcycle of the informant and looted a sum of Rs. 1,51,000/-, mobile phone and some documents etc.

Learned counsel for the petitioner submits that while rejecting the bail application of the petitioner this court had granted him liberty to renew his prayer for bail after nine months if the trial does not record substantial progress. Learned counsel further submits that the name of petitioner has tran-



spired in this case on the basis of confessional statement made by the co-accused / Satish Kumar. He further submits that no looted article and / or any incriminating material has been recovered from the possession of petitioner. The petitioner is in custody since 14-07-2021.

This court vide its order dated: 17.05.2023 had called for a report from the court below regarding the stage of the trial and in pursuance thereof learned J.M. 1st Class, Vaishali at Hajipur vide letter no. 158 / 2023 has furnished the report and from perusal of the same it transpires that out of four charge sheet witnesses none has been examined by the prosecution. The petitioner is in custody since 14/07/2021.

Accordingly taking into consideration the fact that petitioner is in custody since 14-07-2021 and the trial has not progressed substantially, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000 /- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali PS Case No. 53 of 2020 on the condition that the petitioner shall remain physically present on each



and every date during the course of trial and in case of default
on two consecutive dates, his bail bond shall liable to be
cancelled.

(Anil Kumar Sinha, J)

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