

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26428 of 2023

Arising Out of PS. Case No.-166 Year-2019 Thana- SISWAN District- Siwan

SONU KUMAR @ SHUBHAM @ SHUBHAM KUMAR Son of Shyama Prasad @ Shyama Sah Resident of village-Chainpur, Police Station-Chainpur O.P., District-Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad
For the Opposite Party/s : Mr. Murli Dhar
Mr. Ravi Bhushan Pd. Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 26-07-2023 Heard the parties.

2. Petitioner apprehends his arrest in connection with Siswan (Chainpur O.P.) P.S. Case No.166 of 2019, registered for the offences under Sections 302, 380 and other allied Sections of the IPC.

3. Vide order dated 28.06.2023, a report was called for, regarding the stage of trial. In compliance thereof, a report sent by learned Sessions Judge, Siwan dated 07.07.2023, kept at Flag 'A', whereby it is submitted that an adjournment has been sought on behalf of the defence side to furnish some documents in reference of its argument and two months of time is likely to be taken in conclusion of the trial, if the defence side co-operates in the trial.



4. Considering the submissions made in the report, I am not inclined to grant bail to the petitioner named above. The prayer for bail is hereby rejected.

5. Accordingly, the bail application is dismissed.

6. However, the trial court is directed to conclude the trial as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order and if the trial is not concluded within a period of two months, then the petitioner shall be released on bail from the learned Court below itself, subject to the following conditions:

(i) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(iii) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his



bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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