

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40776 of 2023

Arising Out of PS. Case No.-42 Year-2022 Thana- NAANPUR District- Sitamarhi

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BABLOO KUMAR @ BABLOO KUMAR JHA @ DIPAK JHA @ DIPAK KUMAR JHA Son of Late Mohan Jha Resident of Village - Chakauti, Ward No.- 15, P.S.- Nanpur, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 02-08-2023 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

2. This is the second bail petition of petitioner after rejection of his earlier petition through Cr. Misc. No. 44840 of 2022 vide order dated 20.10.2022, where petitioner is in custody since 29.04.2022. It is submitted that in last 10 months not a single witness was examined in this case and, as such, trial is a remote aspect. It is further submitted that it would not proper to keep petitioner behind the bar till indefinite period, in want of trial.

3. A report was also called for from the learned Trial Court, where it has been reported through Letter No. 35 of 2023 dated 20.07.2023 that not even a single witness was examined in this case and, as such, trial is not likely to conclude in near future.

4. Considering the facts and circumstances as mentioned



above, as petitioner is in custody since 29.04.2022 and trial is not likely to conclude in near future, accordingly, above named petitioner is directed to be released on bail in connection with Nanpur P.S. Case No. 42 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Sitamarhi/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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