

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42850 of 2023

Arising Out of PS. Case No.-316 Year-2020 Thana- KOILWAR District- Bhojpur

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SAROJ KUMAR Son of Late Govind Dayal Rai @ Govind Rai R/O Vill.-
Sakkadi, P.S.- Koilwar, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 10-11-2023 Heard learned counsel for the petitioner and Mr.
Shyam Kr. Singh, learned APP for the State.

2. The petitioner is in custody in connection with
Koilwar P.S. Case No. 316 of 2020 for the offence under
Sections 302, 201, 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
prayer for bail of the petitioner was earlier rejected by this Court
in Cr. Misc. No. 5198 of 2022 vide order dated 24.05.2022 with
a direction to the court below to expedite the trial and the
petitioner was given liberty to renew his prayer for bail, if there
was no progress in the trial.

4. Learned counsel for the petitioner submits that



there is no progress in the trial and in fact cognizance has been taken by the court below on 28.02.2023. He further submits that petitioner is in custody 30.06.2021. He further submits that similarly situated co-accused, namely, Aditya Kumar @ Vicky who is the assailant of the deceased has been granted bail by a co-ordinate Bench of this Court in Criminal Misc. Case No. 12727 of 2021 vide order dated 06.01.2022.

5. For the reasons mentioned in the order dated 06.01.2022 passed in Criminal Misc. Case No. 12727 of 2021, this bail application is also allowed.

6. Let the petitioner, above-named, be released on bail after framing of charge on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Koilwar P.S. Case No. 316 of 2020, subject to the condition that the petitioner would cooperate in the proceeding of the court below. He shall personally appear or shall be represented through lawyer through-out in the trial. In the event of failure to appear on two consecutive dates, the court below will be at liberty to pass appropriate order including cancellation of bail bonds of the petitioner.



7. The petitioner will visit Koilwar Police Station on the first Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(Sandeep Kumar, J)

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