

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44992 of 2023

Arising Out of PS. Case No.-141 Year-2020 Thana- BELDOUR District- Khagaria

SHASHI BHOOSHAN KUMAR SON OF GULAB YADAV VILLAGE
SARAUNI MADHEPURA PS BASNAHI DISTT MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-08-2023 Heard the parties.

2. The petitioner renews his prayer for bail in connection with Beldaur PS Case No. 141/2020 dated 09.06.2020 registered for the offence punishable under Sections 392/395/412 of the IPC.

3. As per prosecution case, the informant was accosted by three miscreants armed with pistol who stopped him and on the gun point looted a sum of Rs. 1,20,950/-, mobile phone and one TVS motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has come on the basis of confessional statement of co-accused, Mithun Kumar who has been granted bail by this Court in Cr. Misc. No. 37586/2020 *vide* order dated 05.02.2021 on the ground that looted motorcycle has been recovered from an open field.



Learned counsel further submits that the petitioner is in custody since 18.05.2022 and while rejecting bail of the petitioner earlier on 23.12.2022, this Court has granted liberty to renew his prayer for bail after six months, if the trial does not show any progress.

5. This Court *vide* its order dated 19.07.2023 had called for a report and in pursuance thereof, learned Sessions Judge, Khagaria has submitted the report *vide* letter no. 149/2023 dated 28th of July, 2023 stating therein that out of four prosecution witnesses no one has been examined.

6. Having regards to the submissions made by the parties and taking into consideration the fact that the petitioner is in custody for more than one year since 18.05.2022, the trial has not shown its substantial progress and the similarly situated accused person has been granted bail, I am inclined to grant bail to the petitioner.

7. Accordingly, let the petitioner, **SHASHI BHOOSHAN KUMAR** 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 Sessions Judge, Khagaria in G.R. Case No. 1750/2020, ST No. 57/2021 arising out of Beldaur PS Case No. 141/2020, subject to the condition that



petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

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