

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43959 of 2022

Arising Out of PS. Case No.-41 Year-2021 Thana- JOKIHAT District- Araria

JITENDRA PANDIT S/o Late Jibachh Lal Pandit R/o village- Lalia, Ward
No. 10, P.S.- Jokihat, District- Arariya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Chandra

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 25-01-2023 Heard the parties .

Petitioner renews his prayer for regular bail in connection with Jokihat P.S. Case No. 41 / 2021 registered under Section 363 / 365 of the I.P.C., Section 364(A) added later on. While rejecting the bail application of the petitioner earlier by order dated 11.04.2022 *vide* Cr. Misc. No. 31427 / 2021 this Court had given the petitioner liberty to renew his prayer for bail after three months if the trial does not show any substantial progress.

The allegation against the petitioner is that the nephew of the informant, aged about six (06) years, was kidnapped for ransom from his School.

Learned counsel for the petitioner submits that name of the petitioner has transpired on the basis of confessional



statement made by the co-accused and no ransom amount has been recovered from the possession of the petitioner rather it has been recovered from the possession of another co-accused / Md. Saddam.

On the last occasion when prayer for bail of the petitioner was rejected, a report was called for regarding the stage of the trial by this Court and the same was furnished by the I/C District & Sessions Judge, Araria, in which the estimated time for conclusion of trial was given three months.

In the present bail application which was filed after four months, latest report regarding the present stage of the trial was called for by this court *vide* order dated 21.12.2022 and in pursuance thereof a report has been furnished by learned Sessions Judge, Araria *vide* letter no. 314 / 2023 dated 09.01.2023 informing this Court that out of seven charge sheet witnesses, four witnesses have been examined and cross examined but no estimated time for conclusion of the trial has been mentioned in the report. Petitioner is in custody since 07.02.2021.

Taking into consideration the fact that petitioner is in custody since 07.02.2021, trial has not progressed substantially, no estimated time has been given by the trial court for



conclusion of the trial, as such, 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. 25000 /- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Araria / court concerned in connection with Jokihat P.S. Case No. 41 / 2021 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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