

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56594 of 2023

Arising Out of PS. Case No.-56 Year-2014 Thana- PAROO District- Muzaffarpur

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Dhirendra Kumar @ Dhirendra Singh @ Virendra Kumar Singh Son Of Sri
Shambhu Nath Singh @ Shambhu Singh Village- Fatehabad Ps- Paroo Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Ajay Kumar Thakur, Adv.
	:	Mr. Ritwik Thakur, Adv.
	:	Mrs. Vaishnavi Singh, Adv.
For the Opposite Party/s :	:	Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sessions Trial No.787 of 2014 arising out of Paroo P.S. Case
No. 56 of 2014 dated 14.03.2014 lodged under Sections 341,
323, 324, 325, 307, 326, 302, 504/34 of the I.P.C.

3. Learned counsel for the petitioner submits that the
case of the petitioner has been rejected twice vide order dated
03.03.2015 passed in Cr. Misc. No. 44043 of 2014 and vide
order dated 02.12.2015 passed in Cr. Misc. No. 44411 of 2015.

4. Counsel further submits that the petitioner was
convicted and preferred criminal appeal before this court. At the

time of hearing criminal appeal, the conviction was set aside and de novo trial was directed to be conducted in pursuance of this order. As such, the de novo trial is going on and this trial is at the stage of evidence.

5. Counsel further submits that there were four accused in the F.I.R. and three were charge-sheeted including the petitioner. He submits that 2 of the co-accused persons have already been granted bail by the Co-ordinate Bench of this Court vide order dated 29.05.2023 and 21.07.2023 passed in Cr. Misc. No. 14796 of 2023 and 44130 of 2023.

6. Counsel further submits that petitioner is languishing in judicial custody since 14.03.2014 and presently, his custody reached about 9 years and 6 months whereas the trial is still pending upon remand.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Muzaffarpur, in connection with Sessions Trial No.787 of 2014

arising out of Paroo P.S. Case No. 56 of 2014, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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