

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59492 of 2023

Arising Out of PS. Case No.-57 Year-2021 Thana- SIGAUDI District- Patna

Neeraj Kumar, Son Of Siddhnath Singh, Resident Of Village - Jolhachak
(Makhdumchak), P.S. - Sigaudi, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Advocate

For the Opposite Party/s : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 13-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 71/2022 arising out of Sigaudi P.S. Case No. 57 of 2021 registered for the alleged offences under Sections 341, 323, 324, 307 and 506/34 of the Indian Penal Code.

3. Allegedly, the petitioner along with the co-accused tried to kill the informant at the instance of his brother-in-law. The occurrence took place in the backdrop of some land dispute.

4. Learned counsel for the petitioner submits that this is the second attempt of the petitioner to seek bail from this Court as his prayer for bail was earlier rejected vide order dated 11.10.2020 passed in Cr. Misc. No. 707539 of 2021.



While rejecting the prayer for bail, the learned trial court was directed to expedite the trial and conclude the same within a period of nine months. But despite specific direction, the trial has not been concluded and only two prosecution witnesses have been examined after framing of charge on 23.06.2022. The petitioner is in custody since 06.09.2021. The learned counsel further submits that the allegation of causing slit injury on the neck of the informant has been specifically made against the co-accused Billu Chaudhary. The allegation against the petitioner is that he tried to strangle the informant by putting wire around his neck, but no such injury was found. The learned counsel further submits that the co-accused Arbind Kumar has been granted bail vide order dated 06.10.2023 passed in Cr. Misc. No.63749 of 2023.

5. Learned APP opposes the prayer for bail submitting that no new ground has been brought on record to consider the prayer for bail.

6. Perused the record.

7. A report dated 10.10.2023 has been received from the learned trial court wherein the learned trial court has submitted that out of 8 charge-sheet named witnesses, only two witnesses have been examined.

8. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the fact that the trial is still at the initial stage and there is no likelihood of its conclusion in near future and further considering the period of the custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Danapur, District-Patna/court concerned in connection with Sessions Trial No. 71/2022 arising out of Sigaudi P.S. Case No. 57 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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