

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65190 of 2022

Arising Out of PS. Case No.-235 Year-2020 Thana- RAMKRISHNANAGAR District- Patna

MANISH KUMAR Son of Lallu Prasad Yadav @ Lalu Ram Resident of-
Bhaisani Tola, Bari Bagicha, P.S.- Malsalami, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 69058 of 2022

Arising Out of PS. Case No.-235 Year-2020 Thana- RAMKRISHNANAGAR District- Patna

KARAN KUMAR S/O Vijay Chaudhary Resident at Village- Sabarchak Hata
(Durga Mandir Hall Gali ke Andar), P.S- Malsalami, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 65190 of 2022)

For the Petitioner/s : Mr. Manoj Kumar, Adv.
Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.Nand Kumar

(In CRIMINAL MISCELLANEOUS No. 69058 of 2022)

For the Petitioner/s : Mr.Subodh Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 11-01-2023 Heard the parties.

Petitioners have renewed their prayer for regular bail
in connection with S.Tr. No. 311 of 2021 arising out of
Ramkrishna Nagar P.S. Case No. 235 / 2020 registered under
Section 392 of the I.P.C. inasmuch as bail application of the
petitioners *vide* Cr. Misc. Nos. 44535 / 2021 & 32158 / 2021



were earlier rejected by this court by order dated 31-03-2022 granting liberty to them to renew their prayer for bail after six months if the trial does not show any progress.

Learned counsel for the petitioners submits that petitioners are in custody since 26.11.2020 but the trial has not progressed substantially. The name of the petitioners transpired on the basis of confessional statement of the co-accused. They further submit that during the course of the trial two witnesses have been examined but they have not taken name of the petitioners and have also not identified them.

This court vide its order dated 07.12.2022 has called for a report from the trial court regarding the progress of the trial and in pursuance thereof learned Addl. District & Sessions Judge-XXIV, Patna has submitted his report vide letter no. 202 dated 14/12/2022 . From perusal of the the report it transpires that charges were framed in this case on 12.08.2021 and out of five charge sheet witnesses, two witnesses have been examined and cross-examined and three witnesses are yet to be examined. Learned trial court has given the estimated time for conclusion of the trial as nine months.

Having regard to the submissions made by the parties, taking into consideration the fact that petitioners are in custody



for more than two years, trial is not likely to be concluded in near future and this is second attempt for bail on behalf of the petitioners, as such, I am inclined to grant regular bail to the petitioners.

Let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 25000 /- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-XXIV, Patna in 1st case and Sub-Judge- XIII, Patna in 2nd case in connection with S. Tr. No. 311 of 2021 arising out of Ramkrishna Nagar P.S. Case No. 235 of 2020 on the following condition:-

(a) that the petitioners shall remain physically present on each and every date during the course of trial and in case of default on two consecutive dates, their bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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