

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72217 of 2023**

Arising Out of PS. Case No.-11 Year-2022 Thana- KAJI MUHAMMADPUR
District- Muzaffarpur

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GOLU SINGH @ ANKIT KUMAR @ ANKIT KUMAR SINGH S/O SATYANDRA
KUMAR SINGH @ SATYENDRA KUMAR SINGH R/O VILLAGE- KOLWARA,
P.S- SARAIYA, DISTT.- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-12-2023 Heard Mr. Bhaskar Shankar, learned counsel for the
petitioner and Mr. Yogendra Kumar, learned A.P.P. for the State.

The petitioner seeks bail in connection with S.Tr. No.
638 of 2022 arising out of Kazi Mohammadpur (K.M.P.) P.S. Case
No. 11 of 2022 registered for the offence under Sections 302,
307, 324, 323, 504, 341, 120(B)/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The petitioner along with other accused are alleged to
have opened fired upon the son of the informant which hit upon
the chest of the son of the informant as a result of which he died
during course of treatment.

Earlier the prayer for bail of this petitioner has been
rejected vide order dated 27.03.2023 passed in Cr. Misc. No.



57823 of 2022 considering the case of the petitioner on merit.

Learned counsel for the petitioner submits that although charge has been framed against the petitioner on 20.01.2023 but the trial has not yet begun.

A report with regard to present stage of the trial has been called for by this Court vide order dated 03.11.2023 which has been received and forms part of this application at Flag-A. On perusal thereof, it would reveal that charge has been framed on 20.01.2023 and the case is pending at the stage of evidence.

Learned counsel appearing for the petitioner referring to the aforesaid report submits that the trial of this case is not likely to be concluded in near future and the petitioner is languishing in judicial custody since 20.04.2022 i.e more than one and half years.

Learned A.P.P. for the State opposed the prayer for bail of the petitioner and submits that the trial has commenced after framing of charge.

Considering the facts and circumstances of the case at the present stage of the trial, let the, above named, petitioner 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 learned 13th Additional Sessions Judge, Muzaffapur in connection with S.Tr. No. 638 of 2022 arising out of Kazi Mohammadpur (K.M.P.) P.S. Case No. 11 of 2022 with the



following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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