

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72136 of 2023

Arising Out of PS. Case No.-212 Year-2022 Thana- GOPALPUR District- Gopalganj

ROBIN KUMAR SON OF BILAS MAHTO R/O VILLAGE- RANI
CHAPRA, DHANUKI TOLA, P.O.- MACHHARGAWA, WARD NO. 6, P.S.-
HARSIDHI, DIST.- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Najeeb Ahmad, Adv.

For the Opposite Party/s : Mr.Nawal Kishore Prasad,APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-12-2023 1. Heard learned counsel for the Petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Gopalpur P.S. Case No. 212 of 2022, dated 15.10.2022
registered for the offence(s) punishable under Sections 414, 399
and 402 of the Indian Penal Code and Sections 25(1-b)a, 26
and 35 of the Arms Act.

3. This is second attempt of the petitioner for the
relief of regular bail after his earlier attempt for the same relief
was rejected by this Bench vide order dated 14.03.2023 passed
in Cr. Misc. No. 10676 of 2023 and now the petitioner, who has
been languishing in jail since 15.10.2022, has come again for
the same relief by filing the instant petition.



4. The main submissions advanced by learned counsel for the petitioner are that the petitioner earlier preferred Cr. Misc. No. 10676 of 2023 which was rejected by this Bench but the petitioner was given liberty to renew his prayer for bail after six months, if any significant progress is not made in his trial and till date, no significant progress has been made in his trial despite the charges upon the petitioner having been framed on 23.05.2023 and thereafter seven consecutive dates have passed but no prosecution witness has turned up while all the witnesses named in the chargesheet are official persons which shows the prosecution's lingering attitude in producing the prosecution witnesses and the petitioner has been languishing in jail since 15.10.2022 and the alleged offences are triable by First Class Magistrate. Further submission is that though against the petitioner there are criminal antecedents of six cases but he has got bail in all the said cases.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

6. Considering the above submissions and mainly the custody period of the petitioner and the lingering attitude of the prosecution in producing the prosecution witnesses as pointed out by learned counsel for the petitioner, this Court is now



inclined to accept the prayer for bail of the petitioner.
Accordingly, let the petitioner named-above be enlarged on bail
on furnishing bail bond of Rs. 10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of the
concerned Court in connection with Gopalpur P.S. Case No. 212
of 2022.

(Shailendra Singh, J)

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