

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72234 of 2022

Arising Out of PS. Case No.-59 Year-2017 Thana- AHIYAPUR District- Muzaffarpur

MD. KHURSHID @ GUDDU @ MD. GUDDU S/O Md. Salim R/O Village-
Kaparpura, P.S- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-01-2023 Heard the parties.

Petitioner renews his prayer for regular bail in connection with S.T. No. 226 of 2022 arising out of Ahiyapur P.S. Case No. 59 of 2017 registered under Section 392 of the I.P.C. inasmuch as bail application of the petitioner was earlier rejected by this Court by order dated 16.05.2022 *vide* Cr. Misc. 50974 / 2021 granting liberty to him to renew his prayer for bail after six months if the trial does not show any progress.

As per the F.I.R. some unknown miscreants riding on a Black Scorpio vehicle over took and intercepted the White Scorpio vehicle of the informant bearing Registration No. BR07PA-4265 and looted the vehicle on gun point. The



petitioner has been arrested along with the looted vehicle while a deal for sale of the vehicle in question was being done in garage namely, M/s Roshani Automobile. The co-accused / Satyam Kumar has been granted bail by a Co-ordinate Bench of this Court in second attempt *vide* Cr. Misc. No. 64136 / 2019. The petitioner is in custody since 08.04.2021.

This Court vide its order dated 21.12.2022 has called for a report from the court below regarding the progress of the trial and in pursuance thereof learned 3rd Addl. District & Sessions Judge, Muzaffarpur has furnished the report vide letter no. 3 dated 09.01.2023. From perusal of the report it transpires that out of nine prosecution witnesses, none has been examined by the prosecution as yet.

Regard being had to the submissions made by the parties, taking into consideration the fact that from the date of last rejection of the prayer for bail of the petitioner the trial has not proceeded substantially, the petitioner is in custody since 08.04.2021 , as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000 /- (twenty five thousand) with two sureties of the like amount each to the



satisfaction of learned Addl. Sessions Judge-III, Muzaffarpur /
concerned court in connection with S.Tr. No. 226 of 2022
arising out of Ahiyapur P.S. Case No. 59 of 2017 on the
condition that the petitioner shall remain physically present on
each and every date during the course of trial and in case of
default on two consecutive dates, his bail bond shall liable to be
cancelled.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

