

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7172 of 2024

Arising Out of PS. Case No.-23 Year-2022 Thana- SOHSARAI District- Nalanda

Surendra Paswan @ Sulendra @ C.M.G. @ Singh Ji Son Of Late Baleshwar
Paswan R/O Bari Pahari Mansur Nagar, P.S. - Sohsarai, Distt. - Nalanda,
Permanent Address - Vill - Alipur, P.S.- Bind, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 328 and 120B of the Indian Penal Code and Sections 33, 34 and 36 of the Bihar Prohibition and Excise Act.

Earlier, the regular bail application of the petitioner was rejected by this Court vide order dated 21.04.2023 in Cr. Misc. No. 30789 of 2022 with a direction to learned trial court to conclude the trial expeditiously.

Again, petitioner moved for regular bail by filing Cr. Misc. No. 51727 of 2023 vide order dated 22.09.2023 which was dismissed as withdrawn by this Court with a direction to



learned trial Court to conclude the trial within three months as per its report dated 12.09.2023.

In pursuance to the direction of this Court, a report dated 09.2.2024 was called for in respect of conclusion of trial which has been received and kept at Flag-R dated 04.03.2024 which suggests there can be about six more months to conclude the trial.

Learned counsel for the petitioner submitted that despite the direction of this Court, the trial has not been concluded as yet and there is no hope to conclude the trial in near future.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sohsarai P.S. Case No. 23 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned IVth Additional District and Sessions Judge cum Special Judge Excise IIInd Nalanda at Bihar Sharif subject to following conditions:-

(i) Petitioner shall co-operate in the trial and shall be



present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(iii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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