

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7880 of 2024

Arising Out of PS. Case No.-85 Year-2022 Thana- KAJRA District- Lakhisarai

Suraj Kumar Son of Nand Kishor Ram R/o vill - Manjhiyama, P.S. - Kajra,
Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Parmanand Pd. Nr. Sahi
For the Opposite Party/s	:	Mr. Dr. Ajeet Kumar, APP
For the Informant/s	:	Mr. Amit Kumar Singh, Adv.
		Ms. Laxmi Kumari, Adv.
		Mr. Rajeev Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kajra P.S. Case No. 85 of 2022 dated 11.07.2022, lodged under
Sections 302 and 34 of the I.P.C. read with Section 27 of the
Arms Act.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 25.02.2023 passed in Cr. Misc. No. 62771 of 2022
with direction to the Trial Court to expedite the trial and
conclude within nine months. He submits that the petitioner is in
custody since 11.07.2022 having clean antecedent. He further
submits that 14 months have crossed from the date of earlier

rejection order but no progress took place. He further submits that on earlier occasion, progress report of the trial has been called for from the Trial Court which has been attached.

4. Learned A.P.P. for the State opposes the prayer for bail.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that petitioner is the kingpin and his bail application may not be allowed.

6. Upon the query of the Court that within what period the informant and other persons being the prosecution witness shall adduce their evidence, the informant's counsel is not in a position to say anything.

7. In this view of the matter, this Court hereby again directs the Trial Court to conclude the trial within further nine months. If trial shall not be concluded within the said period, the petitioner above named, shall be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Sessions Trial No. 345 of 2022 arising out of Kajra P.S. Case No. 85 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

8. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

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