

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12473 of 2024

Arising Out of PS. Case No.-163 Year-2022 Thana- BHANGWANPUR HAT District- Siwan

Raju Mahto Son of Rajaram Mahto Resident of Village- Chakarbardi, P.S.
Bhagwanpur Hat, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-06-2024 Heard learned counsel for the petitioner and

learned APP for the state.

The instant application is renewed by the petitioner for regular bail which has been filed in connection with Bhagwanpur Hat P.S. Case No. 163 of 2022 instituted for the offence u/s 341, 323, 324, 307, 302/34 of the Indian Penal Code.

Earlier the application for regular bail of the petitioner was rejected by order dated 23.06.2023 passed in Cr. Misc. No. 16332 of 2023 with an observation to learned trial court to expedite the trial



and conclude the same as early as possible.

Allegation against the petitioner is that he gave knife blow on the chest of informant's family member, namely, Atish Kumar due to which he sustained injuries and succumbed to injuries.

Learned counsel for the petitioner submits that there is no hope to conclude the trial in near future. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, petitioner is languishing in judicial custody since 19.06.2022.

From perusal of the trial court report (kept at flag A), it appears that the case is pending for adducing prosecution witness and it will take 12 months to conclude the trial.

Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer of bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bhagwanpur Hat P.S. Case No. 163 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Siwan, subject to the following conditions:-

1. 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.

2. 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.

3. If the petitioner repeat the offences of similar nature, as alleged in the present case, the



prosecution will be at liberty to move for cancellation of
bail.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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