

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8757 of 2024

Arising Out of PS. Case No.-306 Year-2020 Thana- BALIYA District- Begusarai

Subham Kumar @ Shuvam Kumar Son of Bir Bahadur Singh R/o vill -
Gokhlenagar, Bishnupur, P.S. - Baliya, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 09-02-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks regular bail in connection with
Baliya P.S. Case No. 306 of 2020 dated 19.11.2020, registered
for the offences punishable under Sections 302, 326, 341 and
120(B) of the Indian Penal Code.

3. Ld. counsel for the petitioner submits that the
petitioner had moved this Court earlier for regular bail vide Cr.
Misc. No. 12683 of 2022, which was rejected with an
observation that if the trial is not concluded within one year, the
petitioner is at liberty to renew his prayer for bail. She further
submits that since the trial has not been concluded in the
stipulated time, the petitioner, vide present application, has
renewed his prayer for bail.



4. In support of his petition, he has filed a copy of the order-sheet dated 03.01.2024 of the Trial Court saying that the trial is at the stage of prosecution evidence and not a single witness has been examined.

5. Considering the aforesaid facts and circumstances, particularly the fact that the trial has not yet been concluded, this application is allowed, directing the petitioner, abovenamed, to be enlarged on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court Below/Trial Court in connection with Baliya P.S. Case No. 306 of 2020 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.



(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, Ld. Court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the Court below that statement regarding the previous bail petition is wrong, Ld. Court below shall cancel the bail bond of the petitioner.

6. Ld. counsel for the petitioner is directed to remove all the defects as pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

Shoaib/
Ravishankar-

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