

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11045 of 2023

Arising Out of PS. Case No.-103 Year-2014 Thana- CHAUTHAM District- Khagaria

SIKANDAR SAH @ SIKENDAR SAH Son of Mr. Asharfi Sah R/V- Mohra
Ghat Paras, PS- Alauli, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Ms. Vaishnavi Singh, Adv.
For the Opposite Party/s :		Mr. Binod Kumar, APP
For the Informant		Mr.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 147, 148, 149, 342, 302 of the Indian Penal Code and section 27 of the Arms Act.

3. Earlier petitioner had moved thrice for grant of regular bail, which was firstly rejected vide order dated 28.08.2018 passed in Cr. Misc. No. 39164 of 2018 with a direction to conclude the trial within one year. Secondly the same was rejected on 12.06.2020 passed in Cr. Misc. No. 83577 of 2019 with a direction to conclude the same within a period of one year and lastly the same was rejected by this Court on



09.03.2022 passed in Cr. Misc. No. 2300 of 2022 with a direction to expedite the trial and conclude the same within a period of two months.

4. Thereafter, on different occasion i.e. on 4.5.2023, 08.08.2023 and 10.10.2023 progress reports were called for and the same have been exhibited as 'R' and R1'. Report dt. 22.05.2023 ('R') sent by learned Additional Sessions Judge V, Civil Court, Khagaria, suggests that trial may be concluded within a period of two months.

5. It is submitted by learned counsel for the petitioner, that petitioner is languishing in judicial custody since 09.12.2017. Trial of the case has not been concluded as yet despite several directions given by this Court as well as period of concluding the trial within two months as mentioned in status report marked as 'R'.

6. It is further submitted by learned counsel for the petitioner that several co-accused persons have already been enlarged on bail by a Division Bench of this Court in Criminal Appeal (DB) No. 1217 of 2017 along with Criminal Appeal (DB) No. 1265 of 2017 vide order dated 26.7.2023.

7. The application for bail is opposed by learned APP for the State and learned counsel for the informant.



8. Having heard learned counsel for the parties and considering the period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge V, Khagaria in connection with Choutham P.S. Case No. 103 of 2014.

(Sunil Kumar Panwar, J)

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