

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17169 of 2024

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

Sunita @ Maidam Wife of Gautam Prasad Resident of Vill.-chhoti Pahari,
P.S.-Sohsarai, Distt.-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 11402 of 2024

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

Mukesh Kumar S/o Suchit Mahto R/o vill - Sirshi, P.S. - Bakkhityarpur, Distt.
- Patna at present residing at Naya Tola, Madhopur, P.S. - Bakkhityarpur,
Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 17169 of 2024)
For the Petitioner/s : Mr.Raj Kishor Prasad
For the Opposite Party/s : Mr.Dinesh Singh
(In CRIMINAL MISCELLANEOUS No. 11402 of 2024)
For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 15-05-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular bail in
a case instituted for the offence under Sections 302, 328, 120B
of the Indian Penal Code and Sections 33, 34 and 36 of Bihar
Excise Prohibition Amendment Act.



3. Earlier the bail petition of the petitioners was rejected by this Court vide order dated 21.04.2023 passed in Cr. Misc Nos. 23098 of 2022 and 30428 of 2022 with a direction to expedite the trial.

4. In pursuance to the direction of this Court a report dated 1.4.2024 with regard to present stage of trial has been received by which it appears that the trial is likely to be concluded within a period of six months.

5. Learned counsel for the petitioners submits that the trial has not been concluded as yet knowing the fact that the petitioners are languishing in jail for more than two years. There is no hope to conclude the trial in near future. It is further submitted that one of the co-accused namely, Surendra Paswan, whose bail petition was earlier rejected, has also been granted bail by this Court vide order dated 4.4.2024 passed in Cr. Misc. No. 7172 of 2024. Moreover, petitioner Sunita @ Maidam is languishing in judicial custody since 24.1.2022 and petitioner Mukesh Kumar since 16.2.2022.

5. Learned APP appearing for the State has opposed the prayer of bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioners, this court is



inclined to enlarge them on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-2nd, Nalanda at Bihar Sharif in connection with Sohrai P.S. Case No. 23 of 2022.

(Sunil Kumar Panwar, J)

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