

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21192 of 2024

Arising Out of PS. Case No.-429 Year-2021 Thana- MIRGANJ District- Gopalganj

Md. Saddam @ Md. Saddam Hussain SON OF ALI IMAM R/O VILL-
RASAULI PS -PANAPUR DIST- SARAN AT CHHAPRA BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201/34 of the Indian Penal Code.

3. Earlier, the bail petition of this petitioner was twice rejected. Firstly, his bail petition was rejected by this Court vide order dt. 10.1.2023 passed in Cr. Misc. No. 39921 of 2022. Lastly, the same was rejected by this Court vide order dated 25.8.2023 passed in Cr. Misc. No.43445 of 2023 with a direction to concerned court to expedite the trial and conclude the same within a period of six months.

4. Learned counsel for the petitioner submits that despite the direction of this Court to trial court to conclude the



trial within a period of six months, the trial has not been concluded as yet. It is also submitted that out of total 11 charge-sheeted witnesses, only five witnesses have been examined till now and there is no likelihood of conclusion of trial in near future. Moreover, the petitioner is languishing in judicial custody since 22.12.2021.

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

6. Considering the aforesaid facts and circumstance of the case as well as the petitioner is languishing in judicial custody for more than two years, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mirganj P.S. Case No. 429 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XII, Gopalganj subject to following conditions:-

(i) the 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.

(ii) In case, the petitioner hampers the witnesses or



tempering with the evidence after enlargement on bail, his bail
bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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