

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32078 of 2024

Arising Out of PS. Case No.-4 Year-2020 Thana- SIKARHATTA District- Bhojpur

Sailesh Pandey @ Sailesh Kumar Pandey S/o- Kamta Pandey Village-
Sikraul, P.S.- Sikrahta, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 20-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. This is the third attempt on behalf of the petitioner
for grant of regular bail, in connection with Sikarhatta PS case
no. 04 of 2020, instituted for the offences punishable under
Section 302/34 of the Indian Penal Code and Section 27 of
Arms Act, inasmuch as earlier, on two occasions, the bail
application of the petitioner had been rejected. While rejecting
the bail application of the petitioner for the second time on
25.08.2023, the Court granted him liberty to renew his prayer
for bail after six months.
3. As per the allegation made in the First Information
Report, petitioner along with other accused persons shot the
father of the informant dead.



4. Learned counsel for the petitioner submits that petitioner is in custody since 25.12.2020 but the trial is not progressing satisfactorily and out of the 10 charge-sheeted witnesses, none has been examined.

5. It is pertinent to mention here that vide order dated 02.08.2024, this Court had called for a report from the court of learned A.C.J.M.-8th, Bhojpur at Ara and in response, the learned lower court has submitted the report dated 23.08.2024, stating therein that out of 10 charge-sheeted witnesses, not a single witness has been examined as yet.

6. Having regard to the facts and circumstances of the case and taking into account the period of custody of the petitioner i.e. about three and half years as also considering the fact that the trial is not likely to be concluded in near future, I am inclined to grant regular bail to the petitioner.

7. This application is, accordingly, allowed.

8. Let petitioner, abovenamed, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-8th, Bhojpur at Ara, in connection with Sikrahta PS case no. 4 of 2020.

9. It is further directed that the petitioner shall appear



before the learned Trial Court on each and every date so fixed
by the Court and in default of two consecutive appearances, the
present privilege of regular bail shall liable to be cancelled.

(Anil Kumar Sinha, J)

rinkee/-

U		T	
---	--	---	--

