

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30277 of 2024**

Arising Out of PS. Case No.-150 Year-2022 Thana- GUTHANI District- Siwan

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Sohan Mali S/O Jawahar Mali @ Jawahar R/O Village- Daraila, P.S- Guthani,  
Distt.- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Mohammad Sufyan

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      25-06-2024                      Heard learned counsel for the petitioner  
and learned A.P.P appearing on behalf of the  
State.

The petitioner is languishing in custody  
in a case registered for the offences punishable  
under Sections 302/34 of the Indian Penal  
Code.

Earlier the prayer for bail of the  
petitioner was rejected vide order dated  
13.09.2023 passed in Cr. Misc. No. 37735 of  
2023 with an observation to the Trial Court to  
expedite the trial and conclude the same at the  
earliest.



In pursuance to the direction of this Court, a report with regard to the present stage of the trial has been received which has been kept at Flag-A. The report of learned Additional District & Sessions Judge-IX, Siwan dated 17.05.2024 suggests that none of the prosecution witnesses have been examined as yet and the trial shall be concluded within nine months which suggests that there is no likelihood of the trial being concluded in near future.

Considering the fact that there is no eye witness of the occurrence and only on the circumstantial evidence, the petitioner has been made accused in this case, there is no likelihood of the trial being concluded in near future and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional



Sessions Judge-XI, Siwan in connection with Guthani P.S. Case No. 150 of 2022 (Sessions Trial No. 759/2022), subject to the conditions (i) that one of the bailors shall be close relative of the petitioner (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. (iii) that the petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of bail bonds of the petitioner.

**(Sunil Kumar Panwar, J)**

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