

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36811 of 2024

Arising Out of PS. Case No.-13 Year-2000 Thana- ATRI District- Gaya

Md. Nasir, Son Of Late Muslim Miyan, Resident Of Village - Manjhouli,
Police Station - Nimchak Bathani, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr .Anil Kumar Ray, Advocate
For the Informant	:	Mr. Kunwar Narayan Jamuar, Advocate
For the State	:	Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 5 23-08-2024 1. Heard learned counsel for the petitioner, learned counsel for the informant and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Sessions Trial Case No. 204 of 2023, arising out of Atri P.S. Case No. 13 of 2000 dated 23.02.2000, registered for the offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code and under Section 27 of the Arms Act.
3. Mr. Krishna Prasad Singh, learned senior counsel for the petitioner submits that the petitioner earlier preferred Cr. Misc. No. 53848 of 2022 before this court for the relief of bail which was rejected by this Court vide order dated 21.02.2023 with a direction to the trial court to expedite the trial of the petitioner and take steps to conclude the same in the next one



year. It is further submitted that the petitioner was given a liberty to renew his bail prayer, if any significant progress is not made in his trial. Learned counsel further submits that the petitioner has been languishing in jail since 02.03.2022.

4. Mr. Ram Priya Sharan Singh, learned APP appearing for the State as well as Mr. Kunwar Narayan Jamuar, learned counsel for the informant has vehemently opposed the bail prayer but fairly accepted that all the material witnesses except the I.O and Doctor have been examined in the trial of the petitioner.

5. Heard both the sides and perused the relevant materials. Though, there is a serious allegation against this petitioner but considering his custody period which has been about 2 years and 5 months and also the fact that all the material witnesses of prosecutions have been examined except the I.O. and Doctor, so the petitioner's release may not affect the prosecution adversely, this court is now inclined to release him on bail. Accordingly, let the petitioner named-above 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 the concerned Court in connection with Sessions Trial Case No. 204 of 2023, arising out of Atri P.S. Case No. 13 of 2000 on



following conditions:-

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial court and shall remain physically present as directed by the trial court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- (2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.
- (3) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

Rajiv/-

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

