

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40784 of 2024

Arising Out of PS. Case No.-123 Year-2022 Thana- PARBATTa District- Bhagalpur

Deepak Kumar Rai S/O Binod Rai Resident of Village Japtoli PO Jagatpur
P.S. Parbatta, Distt-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the state.

2. The instance application for regular bail has been filed by the petitioner in connection with Sessions Trial No. 330 of 2023 arising out of Parbatta P.S. Case No. 123/2022 instituted for the offence u/s 147, 148, 149, 341, 323, 307 of the Indian Penal Code.

3. Earlier the application for regular bail of the petitioner was rejected by this Court vide order dated 6.11.2023 passed in Cr. Misc. No. 53935 of 2023 with a direction to expedite and conclude the trial as soon as possible.

4. In pursuance to the direction of this Court, a report dt. 5.7.2024 with regard to the present stage of trial has been received by which it appears that out of ten witnesses, only two have been examined as yet and the trial is likely to be concluded



within nine months.

5. It is submitted by learned counsel for the petitioner that there is no hope to conclude the trial in near future. The petitioner is languishing in judicial custody since 22.11.2022.

6. Having heard learned counsel for the parties and considering the custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Parbatta P.S. Case No. 123 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge Naugachiya District- Bhagalpur with 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 threatens the witnesses or hampers with the evidence, his bail bonds shall be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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