

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50944 of 2024

Arising Out of PS. Case No.-225 Year-2020 Thana- BAISI District- Purnia

Mirsed @ Mirsid Son Of Late Anamul Resident Of Chopra, P.S. - Baisi,
District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vishal Agrawal, Advocate
For the State	:	Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-07-2024 Heard learned counsel for the Petitioner and

learned APP for the State.

2. Petitioner seeks regular bail in connection with Sessions Trial Case No. 284 of 2021 arising out of Baisi P.S. Case No. 225 of 2020, dated 17.09.2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the Indian Penal Code.

3. Mr. Vishal Agrawal, learned counsel appearing for the petitioner submits that this is the third attempt of the petitioner to get the relief of regular bail and his earlier two attempts for the said relief was rejected by this Court vide orders dated 19.10.2022 and 09.02.2024 passed in Cr. Misc. Nos. 30260 of 2022 and 1754 of 2024 respectively. It is further submitted that in the order dated 19.10.2022 the trial court was directed to take steps to proceed in the trial of the petitioner and



frame the charges and thereafter, take steps to conclude the petitioner's trial as early as possible and in that order, the petitioner was given a liberty to renew his prayer for bail if no significant progress in his trial is made in the next one year from the date of that order. Thereafter, the petitioner again came before this Court by filing Cr. Misc. No. 1754 of 2024 in which his prayer was again rejected with a direction to the trial court to decide the petitioner's case in the next three months from the date of that order and run his trial on day to day basis and the Superintendent of Police was also directed to ensure the production of the official witnesses before the trial court on the fixed dates. Learned counsel further submits that after passing the order dated 09.02.2024 in Cr. Misc. No. 1754 of 2024, the trial of the petitioner has not run on day to day basis which is complete violation of this Court's direction given in the order dated 09.02.2024. It is further submitted that the petitioner has been languishing in jail since 23.09.2020 and the remaining witnesses who are to be examined are official witnesses and they have not been produced till date despite a specific direction having been given by this Court to the Superintendent of Police concerned.

4. Learned APP for the State has opposed the prayer



for bail of the petitioner and submits that he has no information about the communication of the order of this Court to the Superintendent of Police and in this regard, a report may be called for from the office as the office was also bound to communicate the copy of this Court's order to the Superintendent of Police concerned in view of the spirit of the said order.

5. Having regard to the above submissions and mainly taking into account the petitioner's long incarceration period, this Court is now inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be enlarged 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. 284 of 2021 arising out of Baisi P.S. Case No. 225 of 2020.

6. Let a report be called for from the learned District and Sessions Judge, Purnia, with regard to the reasons of non-compliance of this Court's direction by the trial court judge given in the order dated 09.02.2024 as to run the petitioner's trial on day to day basis and conclude the same in the next three months from the date of that order.

7. Let the matter be placed with the required reports



on 02.08.2024.

8. Office is directed to explain the position whether the order dated 09.02.2024 was communicated to the Superintendent of Police concerned or not before the next date.

(Shailendra Singh, J)

maynaz/-

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

