

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54744 of 2024

Arising Out of PS. Case No.-209 Year-2022 Thana- RAMKRISHNANAGAR District- Patna

PINTU KUMAR SON OF BIRENDRA PRASAD @ BIRENDRA PRASAD
SINGH RESIDENT OF VILLAGE - USTA ABDULACHAK, P.S. -
GAURICHAK, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh Mr. Ajay Thakur, Sr. Adv Mr. Ritwik Thakur
For the Opposite Party/s	:	Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 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 Ram Krishna Nagar P.S. Case No. 209 of 2022 instituted for the offence u/s 376(D) and 34 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. Earlier the application for regular bail of the petitioner was rejected vide order dated 02.05.2023 passed in Cr. Misc. No. 4904 of 2023 with a direction to trial Court to conclude the trial as early as possible. Again, the petitioner renewed his prayer for bail which was disposed of by this Court



vide order dated 12.01.2024 in Cr. Misc. No. 70287 of 2023 with a direction to trial Court to conclude the trial within a period of six months positively, failing which, the petitioner would be at liberty to renew his prayer for bail.

4. From para-21 of this petition, it is submitted by learned counsel for the petitioner that in the present case, charge has been framed against the petitioner and others on 04.07.2023, thereafter vide order dated 12.01.2024, the learned trial Court was directed to conclude the trial within six months but till date only two witnesses have been examined and there is no hope to conclude the trial in near future and in support of this order sheet of Sessions Trial No. 422 of 2023 from 1.12.2023 till 26.06.2024 is annexed herewith and marked as Annexure-P/5 to this petition. Petitioner is languishing in judicial custody since 08.05.2022. Similarly situated other co-accused persons have already been granted bail earlier by another co-ordinate Benches of this Court vide order dated 03.08.2023 in Cr. Misc. No 17783 of 2023 and order dated 19.06.2023 in Cr. Misc. No. 2225 of 2023.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody 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 Ram Krishna Nagar P.S. Case No. 209 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 Additional Sessions Judge-I, Patna with following conditions:-

(i) 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) If the petitioner tampers with the evidence or threatens the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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