

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66003 of 2024

Arising Out of PS. Case No.-139 Year-2021 Thana- RAJAOLI District- Nawada

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Sani Singh @ Soni Singh @ Sanni Singh Son of Ram Pyare Singh R/o
Village- Gairba, P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-11-2024 Heard Mr.Birendra Kumar, learned counsel for the

petitioner and Mr.Nand Kishore Prasad, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
24.08.2022 in connection with S.Tr.No.295 of 2023 arising out
of Rajauli P.S. Case No. 139 of 2021, F.I.R. dated 22.03.2021
registered for the offence punishable under Section 304(B) of
IPC.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 04.07.2023 passed in Cr. Misc.
No.18579 of 2023. Thereafter the petitioner has again renewed
his prayer for bail before this Court vide Cr. Misc. No.22309 of
2024 which was dismissed as withdrawn on 20.03.2024 with
liberty to the petitioner to move before the learned Trial Court.



4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Vide order dated 06.09.2024, a report was called for with regard to the present stage of the trial. Report of the learned Trial Court dated 12.09.2024 reveals that the charge has been framed against the petitioner and altogether there is seven witnesses in this case. Notice for production of official witness has been issued on 06.05.2024 and 25.07.2024 but till date the prosecution has not examined any witness as yet.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 24.08.2022 more than two years.

7. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the report of the learned Trial Court, let the petitioner, above named, 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 learned Additional



Sessions Judge-Xth, Nawada in connection with S.Tr.No.295 of 2023 arising out of Rajauli P.S. Case No. 139 of 2021, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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