

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.63564 of 2024

Arising Out of PS. Case No.-243 Year-2019 Thana- SHEOHAR District- Sheohar

BAMSHANKAR CHAUDHARY S/O LATE MAHESH CHAUDHARY R/o
Village- Ageshi Ward No. 7, P.S.- Barginiya, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul

Mr. Anuj Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 3 25-10-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with Sessions Trial No. 11 of 2020, arising out of Sheohar Police Station Case No. 243 of 2019, registered for the offences punishable under Section 395 of the Indian Penal Code.
3. This is the fourth attempt on behalf of the petitioner for grant of regular bail. Earlier, the prayer for regular bail of the petitioner was rejected by this Court on the last occasion, vide order, dated 02.02.2024, passed in Criminal Misc. No. 80523 of 2023, giving liberty to the petitioner to renew his prayer for bail after six months



from the date of the order, if the trial is not concluded within that period.

4. The prosecution case, as per the First Information Report, is that six criminals entered into UCO Bank, Sheohar and committed dacoity and looted away Rs. 32,33,760/- on the point of gun and all the criminals were wearing masks and out of six, 2-3 criminals were wearing helmets.
5. Learned Counsel for the petitioner submits that the petitioner has renewed his prayer for bail as observed by this Court in the order dated 02.02.2024, passed in Criminal Misc. No. 80523 of 2023. He further submits that the petitioner has remained in custody since 02.08.2021.
6. This Court, vide order, dated 20.09.2024, had called for a report from the learned District Court regarding the stage of the case and in pursuance of the said order, a report has been submitted by learned 1st Additional Sessions Judge -cum- Special Judge, Sheohar, dated 26.09.2024, and from perusal of the same, it would be evident that out of the six chargesheeted witnesses,. Four witnesses have been examined and the learned Court has given nine month's estimated time for concluding the trial if the



parties co-operate in the trial.

7. After having heard learned Counsel for the parties and taking into consideration the observation made by this Court in the order, dated 02.02.2024, passed in Criminal Misc. No. 80523 of 2023, and the fact that the petitioner has remained in custody in connection with the present case for more than three years and the trial is not likely to be concluded in future, I am inclined to grant regular bail to the petitioner.
8. This application is, accordingly, allowed.
9. Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge -cum- Special Judge, Sheohar, in connection with Sessions Trial No. 11 of 2020, arising out of Sheohar Police Station Case No. 243 of 2019.
10. This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled by the learned District Court



itself.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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