

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68297 of 2024

Arising Out of PS. Case No.-193 Year-2022 Thana- MANPUR District- Nalanda

Chhote Singh Son of Makhan Singh Resident of Village - Allaudiya Saray,
P.S. - Manpur, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh

For the Opposite Party/s : Mr.Raj Kishor Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 01-10-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Manpur P.S. Case No. 193 of 2022 for the offences punishable under Sections 341, 323,307, 447,34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner is that he along with co-accused persons armed with pistol, *lathi*, *danda* came at the house of the informant and started assaulting him and his family members. It is further alleged that petitioner fired upon brother of the informant, due to which his brother sustained injury.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. He has further submitted that it is true that the bail application of the petitioner was twice rejected by a co-ordinate Bench of this court but at the time of rejection of second bail application, the co-ordinate Bench has observed in the order dated 04.04.2024 in Cr. Misc. No. 6519 of 2024 to conclude the trial within four months, failing which, the petitioner will be at liberty to renew his prayer for bail. He has also submitted that during the trial, PW-1 and PW-2 have become hostile. PW-3 is the informant Manoj Singh who is trying to linger the case. It has also been submitted that the prosecution has filed an application after examination of four witnesses that one material witness Jaipal Singh was not made chargesheet witnesses, due to collusion of the petitioner. The petitioner is under custody since 03.08.2022.

5. It appears that the trial has not been concluded up-till-now even after stipulated period of four months despite the fact that the trial court was directed to conclude the trial within four months and more than a year has been lapsed.

6. On the other hand, the learned counsel for the informant and learned APP for the State has opposed the prayer for bail and submitted that the bail application of the petitioner has been rejected twice.



7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VIII, Nalanda (Biharsharif) in connection with Manpur P.S. Case No. 193 of 2022, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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