

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73091 of 2024**  
**In**  
**CRIMINAL MISCELLANEOUS No.43538 of 2024**

Arising Out of PS. Case No.-175 Year-2023 Thana- PHULWARIYA District- Gopalganj

Raghav Pandey @ Ragho Panday Son of Late Ram Ratan Pandey Resident of  
Village- Maripur, P.S. -Phulwaria, Distt.- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Prashant Kumar, Advocate  
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      13-12-2024                      Heard learned counsel for the petitioner, the State  
and the informant.

2. In this case on 12.07.2024, the Court in Cr. Misc.  
No. 43538 of 2024 had extended the relief to the petitioner  
considering that he is in custody since 30.04.2024 but only  
after framing of the charge subject to payment of Rs. 25,000/-  
to Chhatish Kumar Rai (injured).

3. Now, the present petition has been filed  
submitting that though he is in custody, due to the petition of  
the other accused, the charge could not be framed, he has  
already remained in custody for almost eight months and is



ready to make payment of Rs. 25,000/- to the injured as undertaken in the main bail petition.

4. Learned counsel for the informant submits that all the accused persons who are on bail deliberately files petition after petition separately to delay the framing of the charges.

5. It is the case of the petitioner that he is in custody and has never filed any petition to delay the framing of the charge as it will be against his own interest.

6. The petitioner undertakes to diligently appear in trial on each and every day failing which the informant shall be free to take recourse to the legal remedy.

7. Considering the fair submission of the parties put forward by the parties as also the fact that even after passing of the order, four months have lapsed, the charges could not be framed as submitted, there is no fault on the part of the petitioner.

8. In this background, this Court is inclined to modify the said paragraphs 7 and 8 dated 12.07.2024 subject to payment of Rs. 25,000/- to the injured, Chhatish Kumar Rai through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of the concerned Court to be handed over to the injured, Chhatish



Kumar Rai after checking the credential.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-XVI, Gopalganj, in connection with Phulwaria P.S. Case No. 175 of 2023 subject to payment of Rs.25,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local SBI to be submitted to the trial Court and handed over to the injured, Chhatish Kumar Rai after checking credentials.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for  
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any  
criminal offence again, failing which the State shall be at  
liberty to take steps for cancellation of his bail bonds.

10. The modification petition stands disposed of.

**(Rajiv Roy, J)**

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