

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71830 of 2023**

Arising Out of PS. Case No.-85 Year-2021 Thana- CHHABILAPUR District- Nalanda

SIKANDAR KUMAR @ SIKANDAR KUMAR YADAV S/O LATE
AWADHESH YADAV, VILLAGE SEIKHPURA PS- NIMCHAK BATHANI,
DISTRICT GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Adv.

Mr. Manisha Prakash, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

3 05-01-2024 1. Heard learned counsel for the Petitioner and

learned APP for the State.

2. Petitioner seeks regular bail in connection with
Chhabilapur P.S. Case No. 85 of 2021, dated 16.08.2021
registered for the offence punishable under Section 394 of the
Indian Penal Code.

3. This is second attempt of the petitioner to get the
relief of regular bail as his earlier prayer was rejected by this
Bench vide order dated 06.04.2023 passed in Cr. Misc. No.
64838 of 2022 preferred by this petitioner.

4. The main submissions advanced by learned
counsel for the petitioner are that the petitioner has been
languishing in jail since 28.02.2022 and in earlier rejection



order, the petitioner was given a liberty “to renew his bail prayer after six months if no significant progress is made in his trial” and in this regard, this Court has called for the Status Report of the trial of the petitioner and the same has been received which goes to show that no progress has been made in his trial. Further submissions are that, so far as the merit of the allegation is concerned, FIR was registered against unknown persons and during investigation, the name of the petitioner surfaced in the confessional statement of co-accused and no any incriminating material including the looted articles was recovered from his possession, though against the petitioner, there are criminal antecedents of three cases but he has got bail in all the said cases.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

6. Considering the above submissions and mainly taking into account the petitioner’s custody period and no progress having been made in his case despite the charges having been framed upon him on 27.06.2023 as appears from the Status Report sent by the Trial Court, in my opinion, in the said circumstances, the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged



on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Chhabilapur P.S. Case No. 85 of 2021.

(Shailendra Singh, J)

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