

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79273 of 2023

Arising Out of PS. Case No.-180 Year-2021 Thana- CHAUTHAM District- Khagaria

AMIT KUMAR SON OF HARIBALLABH SINGH R/O VILLAGE-
LALPUR, P.S.- CHAUTHAM, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amritesh Singh, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 12-01-2024 Heard learned counsel for the petitioner as also the
State and the informant.

2. The petitioner is in judicial custody in connection with Chautham P.S. Case No. 180 of 2021, for the offence under sections 147, 148, 149, 341, 323, 447, 324, 307, 504, 506 of the IPC lodged on 20.08.2021 by the informant Vaidehi Devi.

3. As per the prosecution story, the allegation against the petitioner amongst others is of giving 'dabia' blow to the son of the informant causing injury to him. Accordingly, the FIR.

4. Earlier a report was called for on 08.12.2023 which has since been received vide letter no. 201 dated 19.12.2023.

5. A perusal of the same sent by the Additional District and Sessions Judge 1st -cum- Special Judge, Khagaria would show that after the issuance of bailable warrant to the



witnesses on 18.08.2022, there is no further development in the matter despite the fact that the concerned Court himself records that he has received the file on 13.04.2023. It is only mentioned that the next date of hearing is 05.01.2024. This clearly shows how seriously the trial Court had taken up the matter despite the fact that the petitioner was denied bail on earlier occasion.

6. Learned APP as also the learned counsel for the informant opposes the prayer for bail.

7. The petitioner has remained in custody since 28.06.2022 (not disclosed in the petition, it appears from the last order passed by the Court), there is no possibility of conclusion of trial in near future, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Khagaria, in connection with Chautham P.S. Case No. 180 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 month for one year 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.

9. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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