

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83708 of 2023

Arising Out of PS. Case No.-993 Year-2019 Thana- ARARIA District- Araria

JAMUN TATMA SON OF LAXMI TATMA R/O VILLAGE- LAHNA,
WARD NO. 13, P.S. AND DISTRICT- ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt of the petitioner to approach before this Court for bail. Earlier, vide detailed order dated 14.09.2021 passed in Cr. Misc. No. 11707 of 2021, while rejecting the prayer for bail of the petitioner, the learned trial court was directed to expedite the trial of the petitioner as expeditiously as possible.

3. Vide order dated 22.12.2023, a report was called for in this case regarding the stage of the trial. In compliance thereof, a report dated 23.12.2023 sent by the I/C A.D.J. IV, Araria stating *inter alia* that out of the eight chargesheeted witnesses only four witnesses have been examined. The petitioner is languishing in custody since 16.11.2019 and there



is no possibility that the trial would be concluded in near future.

4. Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Araria P.S. Case No.993 of 2019, subject to the following conditions :

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(iii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner will mark his attendance in the local



police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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