

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1228 of 2024

Arising Out of PS. Case No.-122 Year-2019 Thana- KARJA District- Muzaffarpur

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Anil Baitha S/O JALANDHAR BAITHA @ JALANDHAR CHAUDHARY
R/O VILLAGE- MAKDUMPUR KODARIYA, PS. KARJA, DIST.
MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Sinha

For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-05-2024 Heard learned counsel for the parties.

2. Earlier, the bail petition of this petitioner was thrice rejected. Firstly, his petition was rejected by a co-ordinate Bench of this Court vide order dt. 11.6.2020 in Cr. Misc. No. 8448 of 2020. Secondly, his petition was rejected by co-ordinate Bench of this court vide order dt. 4.8.2021 passed in Cr. Misc. NO. 18140 of 2021. Lastly, the same was rejected by this Court vide order dated 19.4.2023 passed in Cr. Misc. No. 22266 of 2022 with a direction to concerned court to expedite the trial and conclude the same within a period of six months.

3. It is submitted by learned counsel for the petitioner that despite the time sought by the trial court, the



trial has not been concluded as yet and this case is still pending. There is no hope to conclude the trial in near future. As per para-4 of the supplementary affidavit, altogether 41 dates were fixed by trial court for examine the prosecution witnesses but no one has turned up. No any witness could be examined after the direction of this Court on 9.2.2024. The petitioner is languishing in judicial custody since 6.8.2019.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Karja P.S. Case No. 122 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Muzaffarpur with subject to following conditions:-

(i) the petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(ii) In case, the petitioner hampers the witnesses,
his bail bonds shall be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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