

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2480 of 2025

Arising Out of PS. Case No.-82 Year-2020 Thana- DIGHA District- Patna

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Bhim @ Bhima @ Shatrudhan Kumar S/o Umashankar Prasad R/o Village-
Patipul, P.S.- Digha, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 28-02-2025 1. The present petition is by way of 3rd attempt at the

behest of the petitioner for grant of regular bail, in connection
with Digha P.S. Case No.82 of 2020, registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act, inasmuch as the earlier petitions
filed by the petitioner for grant of bail have all stood rejected by
this Court.

2. At the outset, the learned counsel for the petitioner
submits that this Court had earlier vide order dated 08.12.2023,
granted liberty to the petitioner to renew his prayer for bail after
lapse of one year, in case there is no substantial progress in the
ongoing trial. It is submitted by referring to the report dated
01.02.2025, submitted by the District and Additional Sessions
Judge-XXI, Patna that out of nine prosecution witnesses only 5



prosecution witnesses have been examined and still substantial time is required for completion of the trial, hence the petitioner be granted the privilege of bail. It is also submitted that during the course of trial all the 5 witnesses who have been examined on behalf of the prosecution have turned hostile, hence even otherwise there is scant chance of conviction of the petitioner.

3. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

4. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record this Court finds that the petitioner is languishing in custody since 05.07.2021, without any substantial progress in the trial, hence I deem it fit and proper to admit the petitioner to the privilege of bail, subject to certain conditions.

5. Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XXI, Patna in connection with Digba P.S. Case No.82 of 2020.

6. It is directed that the petitioner shall appear before



the learned trial Court on each and every date so fixed in the ongoing trial and in case of two consecutive defaults in appearing before the learned trial Court, the present privilege of bail being extended to the petitioner shall stands cancelled automatically and the petitioner shall be liable to be taken into custody, forthwith.

(Mohit Kumar Shah, J)

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