

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4844 of 2025**

Arising Out of PS. Case No.-201 Year-2021 Thana- VISHNUPAD District- Gaya

Suraj Rajak @ Mangal Rajak @ Suraj Kumar @ Mangal Kumar S/O Sri Dilip  
Rajak R/O New Sadak Panch Mohalla, Gaya, P.S- Vishnupad, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                        |
|----------------------|---|------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Ramakant Sharma, Sr. Advocate<br>Mr. Rakesh Kumar Sharma, Advocate |
| For the State        | : | Mr. Binod Kumar, APP                                                   |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      28-02-2025                      Heard Mr. Ramakant Sharma, learned Senior counsel  
for the petitioner and Mr. Binod Kumar, learned APP for the  
State.

2. Petitioner seeks bail, who is in custody since  
18.11.2021, in connection with Sessions Trial No. 627 of 2022  
arising out of Vishnupad P.S. Case No. 201 of 2021, F.I.R. dated  
17.11.2021 registered for the offences punishable under  
Sections 302/34 of the Indian Penal Code.

3. Learned Senior counsel for the petitioner submits  
that the petitioner has clean antecedent and he has been falsely  
implicated in the present case. He further submits that the  
allegation as alleged in the F.I.R. is false and fabricated and the  
petitioner has not committed any offence as alleged in the F.I.R.



4. Earlier the bail petition of the petitioner was twice rejected vide order dated 01.02.2023 passed in Cr. Misc. No. 34712 of 2022 and vide order dated 01.12.2023 passed in Cr. Misc. No. 57007 of 2023.

5. Learned Senior counsel for the petitioner submits that although the petitioner is in custody since 18.11.2021 but the trial has not been concluded as yet and charge has been framed against the petitioner on 07.12.2023 itself.

6. Vide order dated 31.01.2025, a report was called for with regard to the present stage of the trial. Report dated 06.02.2025 of the learned Trial Court reveals that out of seven chargesheeted witnesses, only four witnesses have been examined including the informant.

7. Learned Senior counsel for the petitioner further submits that although they have been examined in the present trial but they have not supported the case of the prosecution and apart from that the petitioner is in custody since 18.11.2021 and out of seven chargesheeted witness, only four witnesses have been examined as yet and there is no chance of early conclusion of the trial in near future.

8. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the



petitioner.

9. Considering the aforesaid facts and circumstances of the case and in view of the report of the learned Trial Court as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Gaya in connection with Sessions Trial No. 627 of 2022 arising out of Vishnupad P.S. Case No. 201 of 2021, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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