

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12653 of 2025

Arising Out of PS. Case No.-210 Year-2020 Thana- GAURICHAK District- Patna

Shashi Bhushan Singh S/o- Late Mishri Singh Village- Hander Ps- Gaurichak
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manendra Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner submits that this is the fourth attempt of the petitioner to seek bail. The petitioner's earlier prayers for bail were rejected vide order dated 17.11.2022 passed in Cr. Misc. No. 70423/2021, order dated 02.08.2023 passed in Cr. Misc. No. 36437/2023, and order dated 03.05.2024 passed in Cr. Misc. No. 17776/2024, wherein liberty was granted to renew the prayer for bail after a lapse of nine months.

3. He further submits that the last order of rejection was based on a report indicating that a co-accused, who happens to be the petitioner's full brother, failed to appear before the



Trial Court, resulting in the cancellation of his bail bond. It is specifically pleaded in paragraphs 7 and 8 of the present bail application that the said co-accused has already surrendered before the Court on 18.06.2024. Learned counsel further submits that more than nine months have passed since the said surrender. He also contends that the informant is deliberately causing delay in the trial by filing an application to summon a witness whose name does not appear in the charge-sheet.

4. Learned APP for the State opposes the prayer for bail and submits that on an earlier occasion, a report regarding the present status of the trial and the expected time frame for its conclusion was called for. Upon perusal of the said report, it is evident that the name of the witness mentioned in the supplementary charge-sheet is Chhotu Kumar @ Ravisesh Kumar, whereas the informant has filed an application to summon Chhotu Kumar @ Abhishek Kumar. The matter is currently pending before the Trial Court for consideration of this application. The report further indicates that out of eight charge-sheeted witnesses, three have already been examined.

5. It appears to this Court that the petitioner is in custody since 22.07.2020, i.e., for approximately five years. It further appears that five more criminal cases are pending against



him.

6. Considering the facts and circumstances of the case and the submissions made on behalf of the parties, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand only) as provided under Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of the learned District and Additional Sessions Judge-I, Patna City, in connection with Sessions Trial No. 13/2021 (arising out of Gaurichak P.S. Case No. 210/2020), subject to the conditions laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, and with the following further conditions:

(a) At the time of furnishing the bail bond, the petitioner shall satisfy the Trial Court that he is not absconding in any of the cases mentioned in paragraph no. 3 of the petition;

(i) Gaurichak P.S. Case No. 27/2013

(ii) Gaurichak P.S. Case No. 14/2015

(iii) Gaurichak P.S. Case No. 355/2019

(iv) Gaurichak P.S. Case No.439/2019

(v) Gaurichak P.S. Case No. 165/2020

(vi) Complaint Case No. 1432/2013

(vii) Complaint Case No. 658/2019;



and (b) the petitioner shall appear before the Trial Court on each and every scheduled date, and failure to do so for two consecutive dates without any plausible explanation shall result in cancellation of his bail bonds by the Trial Court itself.

(Dr. Anshuman, J)

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