

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13778 of 2025

Arising Out of PS. Case No.-111 Year-2019 Thana- DULHIN BAZAR District- Patna

Mani Bhashkar Kumar Yadav @ Mani Bhaskar Yadav @ Mani Bhashkar Kumar @ Samir Kumar @ Sameer Son of Late Satyendra Kumar @ Late Satyendra Yadav @ Late Satendra Kumar R/O-Village - Sarkuna P,S-Dulhin Bazar Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-04-2025 Heard Mr.Umesh Kumar Singh, learned counsel for the petitioner and Mr.Bhanu Pratap Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 21.09.2022 in connection with S.Tr.No.1378/2024 arising out of Dulhin Bazar P.S. Case No. 111 of 2019, F.I.R. dated 30.04.2019 registered for the offence punishable under Sections 302,34 of IPC and Section 27 of Arms Act.

3. Earlier the prayer for bail of the petitioner was rejected vide order dated 08.08.2023 passed in Cr.Misc.No.31180 of 2023. Thereafter, the petitioner has again moved before this Court in Cr. Misc. No.37377 of 2024 which was dismissed as withdrawn vide order dated 29.11.2024 with



liberty to the petitioner to move before the learned court below.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. As per FIR, although there is allegation against the petitioner that he alongwith other co-accused persons have fired upon the victim and the police, after investigation, submitted chargesheet against the petitioner, the petitioner is in custody since 21.09.2022 and the trial is not in progress.

5. Vide order dated 28.02.2025 a report was called for with regard to the present stage of the trial. Report of the learned Trial Court dated 03.03.2025 reveals that the charge has been framed against the petitioner and other co-accused persons on 09.01.2024 and despite of issuing summons the prosecution has not produced any witness as yet and altogether eight chargesheet witnesses in the said chargesheet.

6. Learned counsel for the petitioner referring the report of the learned Trial Court and submits that in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 21.09.2022.

7. Learned APP for the State, on the other hand, has



opposed the prayer for bail of the petitioner.

8. Considering the aforesaid fact, report of the learned Trial Court and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-3rd, Danapur, Patna in connection with S.Tr.No.1378/2024 arising out of Dulhin Bazar P.S. Case No. 111 of 2019, with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, 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 antecedent, 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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