

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35362 of 2025

Arising Out of PS. Case No.-696 Year-2015 Thana- BANKA District- Banka

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Bimal Singh @ Chaturbhuj Prasad Singh son of Late Arjun Mandal resident
of Village- Kakana (Mandar Nagar), PS and District -Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-06-2025

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application apprehending his arrest in connection with Sessions Trial no.72 of 2016 (arising out of Banka P.S. Case no.696 of 2015) registered for the offence punishable under sections 302, 201, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that Banka P.S. Case no.696 of 2015 was registered on 18.11.2015 under sections 302, 201, 506 and 34 of the Indian Penal Code wherein the petitioner was not named. The petitioner was falsely implicated in course of investigation, however, on conclusion of the investigation, he was not shown as sent up in the chargesheet submitted by the Investigating Officer in the year 2016. The chargesheet was accepted by the learned Court below.



It is further submitted that cognizance of the offence was taken and after framing of charge the trial proceeded. In course of trial, the prosecution filed a petition under section 319 of the Cr.P.C. praying therein that evidence having come during course of trial in the deposition of the prosecution witnesses i.e. P.W.4 and P.W.5 about the petitioner having participated in the occurrence and the Investigating Officer having inadvertently dropped him in the chargesheet, the petitioner be summoned to face trial. By order dated 29.2.2024 passed in Sessions Trial no.72 of 2016, the learned Additional Sessions Judge IV, Banka was pleased to direct for issuance of summons on the petitioner to appear in the case. It is thus submitted that the instant application for bail has been filed.

4. Heard learned A.P.P. for the State.

5. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR together with the facts of the case and the submissions made as narrated herein above, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on bail in connection with Sessions Trial no.72 of 2016 (arising out of Banka P.S. Case no.696 of 2015) on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge III, Banka.

6. It is further directed that the petitioner shall cooperate in the trial and shall remain physically present on each date of the trial.

7. In case the trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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