

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40041 of 2025

Arising Out of PS. Case No.-89 Year-2023 Thana- CHANAN District- Lakhisarai

Kedar Das, Male, aged about 63 years, son of Late Mangal Das, resident of village- Manpur, P.S- Chanan, Dist.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 18-07-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Chanan PS Case No.89 of 2023 dated 16.07.2023, giving rise to Sessions Trial No.39 of 2024 instituted for the offence punishable under Sections 341, 342, 504, 506 and 307/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on the alleged date of occurrence the informant along with his son went to her orchard to see the mango/guava trees. While returning, they saw that a party was going on in the house of the petitioner. In the meanwhile, Uttam Kumari started abusing the informant. Other accused persons, namely, Chandan Das, Shrawan Bind, Bablu Manjhi caught hold the informant's son from behind and the



petitioner stabbed a knife in his abdomen which was brought by Uttam Kumari. On hue and cry, the informant's elder son, Awadhesh Das, came to their rescue and then co-accused Chandan Das and Anshu Kumari tried to stab him also but he caught the knife from his hand and sustained injury in his hand. When the villagers came, the accused persons fled away.

4. Prayer of the petitioner for bail was earlier rejected by this Court by order dated 22.05.2024 passed in Cr. Misc. No.10843 of 2024.

5. Vide order dated 20.06.2025, a report about the present stage of trial and likely time to be taken in its conclusion was called for from the trial Court which has been received and kept at flag- 'R'. The report of the trial Court discloses that out of six witnesses the prosecution has examined only two witnesses till date. The trial Court has reported that at least six months' time would be required to conclude the trial provided the prosecution produces the witnesses in time.

6. Learned counsel for the petitioner submits that earlier while rejecting the prayer for bail of the petitioner by order dated 22.05.2024 passed in Cr. Misc. No.10843 of 2024, the trial Court was directed to expedite the trial and take all endeavour to conclude the trial at the earliest, preferably, within



one year from the date of receipt/production of a copy of the order but till date only two witnesses have been examined. There is no likelihood of conclusion of trial in near future. Learned counsel further submits that the petitioner is in custody since 22.11.2023.

7. Learned APP has opposed the prayer for bail.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the District & Additional Sessions Judge-III, Lakhisari, in Chanan PS Case No.89 of 2023 giving rise to Sessions Trial No.39 of 2024, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter



the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that 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 and (v) that the petitioner within two weeks from the date of his release on bail shall appear before the SHO of local Police Station along with a copy of this order and thereafter shall appear before him every fortnightly to mark his attendance till the conclusion of the trial.

9. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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