

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68975 of 2024

Arising Out of PS. Case No.-17 Year-2022 Thana- NIMACHANDPURA District- Begusarai

Manoj Sah S/O Late Lakhindar Sah Resident of Village- Shanti Nagar Suja,
P.S- Nimachandpura, Distt.- Begusarai, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Siddharth Prasad, Advocate
	:	Mr. Swetang Sinha, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 04-07-2025 Heard Mr. Siddharth Prasad, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is in custody in connection with Nimachandpura P.S. Case No. 17 of 2022 for the offence punishable under sections 302 and 349 of the Indian Penal Code and section 27 of the Arms Act, lodged on 19.03.2022 by the informant, Rinki Devi.

3. As per the prosecution story, the informant alleged that after the hot altercation between the petitioner and deceased, he opened fire, she rushed outside only to see him on the ground shifted to Begusarai Hospital, declared dead. Accordingly, the F.I.R.

4. This case was earlier heard in Cr. Misc. No. 52328



of 2023 on 19.08.2023 (Manoj Sah vs. State of Bihar) and the same was rejected with direction to the Trial Court to expedite the trial and conclude in nine months.

5. Now, the second petition.

6. A report was called for earlier and vide letter no. 293 dated 13.11.2024 it was informed that the same will be concluded in six months.

7. On the last occasion (11.04.2025), another report was called for according to which three more months have been requested vide a letter dated 21.06.2025.

8. Learned counsel for the petitioner submits that he has remained in custody since 29.06.2022, the lady is not an eye witness, according to her, she rushed outside found the petitioner there and attributed the role to the petitioner. The trial is at the fag end, if granted relief, he shall appear in the court diligently without fail and failure to do so, the State shall take immediate steps for cancellation of his bail bond.

9. Learned APP opposes the prayer for bail concede that the petitioner has remained in custody for three years and the trial has still not been concluded.

10. Taking into account the aforesaid facts as also his period of custody, an undertaking has been given that he shall be



diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail.

11. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai, in connection with Nimachandpura P.S. Case No. 17 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight till the conclusion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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