

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65316 of 2025

Arising Out of PS. Case No.-567 Year-2023 Thana- SABAUR District- Bhagalpur

Santosh Das Son of Prahalad Das @ Pralad Das Resident of village - Fajilpur,
P.S.- Goradih, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-11-2025 Heard Mr. Bachan Jee Ojha, learned counsel for the

petitioner and Mr. Arun Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.11.2023 in connection with Sabour (Goradih) P.S. Case No.
567 of 2023, F.I.R. dated 15.10.2023 for the offences
punishable under Sections 302/201 of Indian Penal Code.

3. Earlier the bail application of the petitioner was
rejected in Cr. Misc. No. 57224 of 2024 vide order dated
25.09.2024.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the trial is
not in progress.



5. Vide order dated 09.10.2025 a report was called with regard to stage of the trial. Report of the learned Trial Court dated 18.10.2025 reveals that out of ten prosecution witnesses only six witnesses have been examined.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court the trial is not likely to be concluded in the near future and the petitioner is rotting in judicial custody since 04.11.2023 i.e. for more than two years.

7. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and nature of allegation against the petitioner in the FIR and his period of custody as well as report of the learned trial Court, 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 the learned A.D.J-X, Bhagalpur in connection with Sabour (Goradih) P.S. Case No. 567 of 2023, subject to the following conditions:-

i. 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 absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. 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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