

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67639 of 2025

Arising Out of PS. Case No.-89 Year-1994 Thana- KAUWAKOL District- Nawada

Niwas Raut @ Ram Niwas Ram @ Ram Niwas @ Ram Niwas Raut Son of
Late Brahmdeo Raut Resident of Village- Kharsari PS -Kawakol District-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Adv

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 07-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Sessions Trial No. 41 of 2024 arising out of Kawakol P.S Case No.
89 of 1994 registered for the offences punishable under Sections
147, 148, 149, 302 of the Indian Penal Code and Section 27 of the
Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next submits
that this is third attempt of the regular bail application of the
petitioner. Earlier the regular bail application of the petitioner was
rejected vide order dated 16.04.2024 in Cr. Misc. No. 8719 of
2024 and vide order dated 28.02.2025 in Cr. Misc. No. 71485 of
2024 with observation that trial Court shall conclude the Trial
within six months and if not concluded, petitioner shall be at



liberty to renew the prayer for regular bail before the Trial Court. He further submits that petitioner is in custody since 14.08.2023. He further submits that Trial Court has not concluded the trial as yet.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the Trial Court record vide letter no. 132 dated 31.10.2025, it appears that charge has already framed on 22.05.2024. There are total 06 witnesses to be examined and till now no one has been examined. On perusal of impugned order dated 13.08.2025, it appears that only allegation against the petitioner is that he has assaulted the victim by fists and slap and absconded about 29 years. So, specifically considering the detention of the petitioner and the nature of allegation levelled against the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Nawada in connection with Sessions Trial No. 41 of 2024 arising out of Kawakol P.S Case No. 89 of 1994 subject to the condition that one of the bailor must be close relative of the petitioner and petitioner shall be physically present on each and every dated fixed by the Trial Court and if petitioner fails to appear on any of the date fixed by the Trial



Court, then Trial Court shall cancel the bail bond of the petitioner and shall proceed the trial against the petitioner after his arrest or surrender in custody.

(Ramesh Chand Malviya, J)

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