

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66291 of 2025

Arising Out of PS. Case No.-310 Year-2023 Thana- RUPASPUR District- Patna

Abhyanand Sinha @ Suman @ Abhyanand Suman Sinha Son of Late
Ramanugrah Singh Resident of Mohalla - Vijay Nagar, Road No.- 6, P.S.-
Rupaspur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. P.N.Shahi, Sr. Advocate
Mr. Shivam, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-10-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.910 of 2023 (arising out of Rupaspur P.S. Case no.310 of 2023) registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that as a result of firing by the petitioner with his revolver, his father sustained gunshot injury and died.

4. Learned Senior counsel for the petitioner submits that the earlier prayer for bail of the petitioner was rejected vide different orders, the last being vide order dated 14.2.2025 passed in Cr. Misc. no.85435 of 2024 directing the informant



who had appeared and opposed the application for bail on the last occasion to produce the witnesses on each date fixed in course of trial in the learned trial Court and further directing the learned trial Court to conclude the trial at the earliest preferably within a period of six months. It is further submitted that inspite of the petitioner having remained in custody since 4.5.2023, there is no progress whatsoever in the trial in the learned trial Court. No witnesses are being produced on behalf of the prosecution/informant inspite of the direction of this Court given in its last order dated 14.2.2025 when learned counsel for the informant was also appearing. On merits, it is submitted that the informant is not an eye witness to the occurrence. The petitioner undertakes to cooperate in the trial and to abide by any conditions which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned A.P.P. for the State.

6. On perusal of the order dated 14.2.2025 passed in Cr. Misc. no.85435 of 2024, it transpires that learned counsel for the informant had appeared and opposed the application for bail when this Court had directed the informant to produce the witnesses on each date fixed in course of trial.



7. A report was called for from the learned trial Court. As per the report received, contained in letter dated 182 dated 7.10.2025, while charge was framed in the case on 25.10.2024, summons was issued for appearance of the witnesses on 11.11.2024 and 24.2.2025. One witness namely Raj Kumar Singh was examined on behalf of the prosecution partly but thereafter neither the witnesses nor the informant has been appearing to depose in the trial. As such, as per the report, non-bailable warrants have been issued against the witnesses and the informant on 16.7.2025 and 28.8.2025 respectively. A show cause notice has also been sent to the Dy. S.P., Danapur on 2.9.2025.

8. In view of the facts of the case specially the petitioner having remained in custody for over two years since 4.5.2023 and the informant/prosecution not being interested in proceeding with the case as is evident from the contents of the communication received from the learned trial Court, the Court directs the petitioner, above named, to be enlarged on bail in connection with Sessions Trial no.910 of 2023 (arising out of Rupaspur P.S. Case no.310 of 2023) 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 Additional District



Judge V, Danapur, Patna on the following conditions:

- (i) one of the bailors of the petitioner shall be a family member of the petitioner.
- (ii) The petitioner shall remain physically present in Court on each date of the trial and shall cooperate in the trial.
- (iii) In case the petitioner remains absent on any single date for reasons not to the satisfaction of the learned trial Court or in case the trial Court is of the opinion that 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)

Saurabh/-

U		T	
---	--	---	--

