

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71297 of 2024

Arising Out of PS. Case No.-930 Year-2022 Thana- ARA NAGAR District- Bhojpur

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Amar Kumar @ Amar S/o Late Uma Shankar Lal R/o Mohalla- Rauja, P.S.-
Ara Town, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arun, Adv.
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP
For the informant	:	Mr. Rabindra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 18-04-2025 Heard Mr. Arun, learned counsel for the petitioner

and Mr. Rabindra Kumar for the informant besides the State,

Mr. Bharat Bhushan.

2. The petitioner is an accused in connection with Ara
Town P.S. Case No. 930 of 2022 registered for the offences
under sections 364 and 34 of the Indian Penal Code and later
section 302 of the Indian Penal Code was added lodged on
03.11.2022 by the informant, Uday Prakash Gupta.

3. As per the prosecution story, the informant alleged
that his father had gone to realize rent but failed to return. Upon
query, his motorcycle was found at the market itself and further
came to know that there was an altercation between the
petitioner with the informant's father which according to him,



had earlier also taken place. He thus had strong suspicion that his father has been kidnapped by the accused persons including the petitioner. Accordingly, the FIR.

4. Subsequently, the police get hold of the dead body near Ranisagar at four lane and during investigation, through the GPS of the car of the petitioner, the same was found to be at the place where the dead body was found. Upon further enquiry, the blood stains were found in the said car, these facts have been brought to the notice of the Court by the learned Counsel for the informant.

5. In this case, learned counsel for the petitioner submits that he is in custody since 19.11.2022 (para 11 of the petition), has diligently appearing in trial but the same has still not been concluded. If granted bail, he shall be diligently appearing in trial and failure to do so, the Trial Court shall be free to take steps for cancellation of his bail bond. He shall be further visiting the local police station every week to mark his attendance till the conclusion of the trial.

6. Mr. Rabindra Kumar though opposes the prayer though concede that the trial has still not been concluded.

7. In this case, report was called for earlier and the letter no. 26 dated 01.03.2025 sent by the Trial Court recorded



that the Trial is going on.

8. In that background, another report was called for and it has come vide letter no. 62 dated 04.04.2025 by which another two months have been sought for.

9. Considering the submissions of the parties as also the period of custody, though the Court was not inclined to extend him the privilege of bail, the delay in conclusion of the trial coupled with the fact that the petitioner has no criminal antecedent, is in custody since 19.11.2022 he has undertaken to diligently appear in trial and shall be visiting the police station without fail, in that background, this Court is inclined to extend him the privilege of bail with conditions.

10. 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 Additional Sessions Judge XIII, Ara in connection with Ara Town P.S. Case No. 930 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 even for a single date 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 week 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)

Vijay Singh/-

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