

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84658 of 2024

Arising out of PS. Case No.-162 Year-2021 Thana- PASRAHA District- Khagaria

Ram Chandra Singh @ Ramchandrar Singh S/o Late Narayan Singh @
Narayan Prasad Singh R/o -Village- Pasraha, Road No- 14 P.S.- Pasraha, Dis-
trict- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 25-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. This is the third round litigation on behalf of the pe-
titioner who seeks bail in a case instituted for the offences under
Sections 302, 307, 34 and 120B of the Indian Penal Code and
Section 27 of the Arms Act. He has one criminal antecedent, i.e.,
Pasraha P.S. Case No. 96 of 2020 registered under Sections 147,
341, 323, 379 and 506 of the Indian Penal Code.

3. As per the prosecution case, the informant has al-
leged that the named accused persons including the petitioner
surrounded the husband of the informant namely Vikash Singh,
they all abused and assaulted him. It is further alleged that peti-
tioner took out his pistol and open fired on the husband of the
informant, Vikash Singh who died due to the said firearm in-



juries. It is next alleged that her father-in-law namely Pramod Singh who had come for rescue of the deceased-husband of the informant, they also opened fire on him, however, he managed to escape.

4. This Court *vide* order dated 19.01.2024 passed in Cr. Misc. No. 69884 of 2023 while rejecting the prayer for bail of the petitioner had directed the learned trial Court to conclude the trial within nine months positively, failing which the petitioner will be at liberty to renew his prayer for bail. Learned counsel for the petitioner submits that the petitioner is in custody since 04.06.2022, i.e., more than three years. It is further submitted by learned counsel for the petitioner that from perusal of the report received from the learned trial Court, it is evident that the case has been committed to the Court of Sessions recently on 28.04.2025 and as on day not a single witness has been examined. It is also submitted by learned counsel for the petitioner that altogether there are twelve charge-sheet witnesses. It is next submitted by learned counsel for the petitioner that looking at the present stage of trial it does not appear that it shall be concluded in near future and the petitioner is languishing in custody for the last three years.

5. Learned Additional Public Prosecutor for the State



has vehemently opposed the prayer for bail of the petitioner and has submitted that there is specific allegation against the petitioner of having assaulted the deceased-husband of the informant namely Vikash Singh as such the petitioner should not be granted liberty of bail.

6. Considering the aforesaid submissions of learned counsels and taking into account the fact that the petitioner is in custody since 04.06.2022, i.e., for the last three years and the trial has not begun and despite the previous order of this Court dated 19.01.2024 passed in Cr. Misc. No. 69884 of 2023 to conclude the trial within a period of nine months, it has not made any progress, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/Judicial Magistrate-1st Class, Khagaria in connection with Pasraha P.S. Case No. 162 of 2021, subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial



Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent except aforementioned one case of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent except aforementioned one case, 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 the same or in the name of verification.

(v) If it is found that the trial is being delayed on account of the petitioner, the learned trial Court shall take steps for cancellation of bail bond of the petitioner.

7. In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Po-



lice, Khagaria within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

Vikash/-

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