

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80447 of 2025

Arising Out of PS. Case No.-232 Year-2021 Thana- DUMARIAGHAT District- East
Champaran

=====

Munnilal Kumar S/o Jagdish Sahani Resident of Village- Tikuliya, P.S.- Pipra,
District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-11-2025 Heard learned counsel for the parties.

2. The petitioner has filed this application for grant of regular bail in connection with Sessions Trial no.686 of 2025, arising out of Dumariyaghat P.S Case no.232 of 2021 registered under sections 302, 201 and 34 of the Indian Penal Code.

3. As per the prosecution case, it is stated by the informant that his son proceeded for some work and thereafter did not return home. He was not to be found in spite of search. Subsequently his dead body was found.

4. It is submitted by learned counsel for the petitioner that the petitioner having remained in custody for over 1 year since 18.12.2021 was granted bail by this Court vide order dated 16.1.2023 passed in Cr. Misc. no.28210 of 2022. While granting



bail, this Court had directed the petitioner to remain physically present/properly represented on each date of the trial and to cooperate in the trial. It is submitted that for reasons beyond his control, the petitioner could not appear and for lack of proper *pairvi*, bail bond of the petitioner was cancelled on 24.3.2025 and he was taken into custody on 20.8.2025. The petitioner undertakes to cooperate in the trial.

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

6. Having perused the material on record, it transpires that the petitioner was granted bail in connection with Dumariyaghat P.S Case no.232 of 2021 vide order dated 16.1.2023 passed in Cr. Misc. no.28210 of 2023. As a result of lack of proper *pairvi* and the petitioner remaining absent since 20.9.2024, the bail bond of the petitioner was cancelled on 24.3.2025.

7. Taking into consideration the petitioner having remained in custody, after cancellation of his bail bond, since 20.8.2025 and the assurance that the petitioner shall cooperate in the trial, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no.686 of 2025, arising out of Dumariyaghat P.S Case no.232 of 2021 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 Sessions Judge-III, East Champaran, Motihari on the following conditions :-

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

(ii) The petitioner shall remain physically present/properly represented on each date of the trial and shall cooperate in the trial.

8. In case the learned trial Court is of the opinion that the 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)

Shiv/-

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

