

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86937 of 2024

Arising Out of PS. Case No.-290 Year-2022 Thana- UDAKISHUNGANJ District-
Madhepura

=====

Sinku Kumar @ Ranvir Kumar Son of Late Bambam Mehta @ Vijay Mehta
Resident of Village - Yogiraj, P.S. - Puraini, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.N.K.Agrawal, Sr.Advocate.
	:	Mr.Barun Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Satya Nand Shukla, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-02-2025 Heard Mr.N.K.Agrawal, learned senior counsel

 appearing for the petitioner and Mr.Satya Nand Shukla, learned

 A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
01.10.2022 in connection with S.Tr.No.388 of 2022 arising out
of Udakishunganj P.S. Case No. 290 of 2022, F.I.R. dated
31.08.2022 registered for the offence punishable under Sections
307,120(B), 326 of IPC and Section 27 of Arms Act.

3. Earlier the prayer for bail of the petitioner was
rejected twice vide orders dated 15.09.2023 and 15.05.2024
passed in Cr.Misc.Nos.25553 of 2023 and 22639 of 2024.
Thereafter, the petitioner has again moved before this Hon'ble
Court in Cr.Misc. No.74502 of 2024 which was dismissed as



withdrawn vide order dated 18.10.2024 with liberty to the petitioner to move a fresh application before the learned court below.

4. Learned senior counsel appearing for the petitioner fairly submits that although there is specific allegation against the petitioner that he fired upon the victim and apart from that, the injury report of the injured also corroborates the allegation as alleged in the FIR and the petitioner is in custody since 01.10.2022 and the trial is not in progress.

5. Vide order dated 10.01.2025 a report was called for with regard to the stage of the trial. Report dated 21.01.2025 of the learned Trial Court reveals that the present case is pending for prosecution evidence. On 08.08.2023 charge has been granted against the petitioner and out of five chargesheet witnesses, only two witnesses, have been examined as yet and the case is pending for examination of rest of the prosecution witnesses.

6. Learned counsel for the petitioner submits that in view of the report of the learned trial court that there is no chance of early conclusion of the trial in near future and petitioner is in custody since 01.10.2022 and co-accused persons, namely, Md.Sajjad has been granted bail by this Court



vide order dated 22.05.2023 passed in Cr.Misc.No.23517 of 2023. Similarly situated co-accused person, namely, Pinku Kumar, against whom the allegation of firing, has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 15.09.2023 passed in Cr. Misc.No.31628 of 2023.

7. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation of firing attributed against the petitioner and apart from that, the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

8. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Madhepura in connection with S.Tr.No.388 of 2022 arising out of Udakishunganj P.S. Case No. 290 of 2022, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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

(Rajesh Kumar Verma, J)

Nitesh/-

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

