

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9563 of 2021

Arising Out of PS. Case No.-129 Year-2016 Thana- MANIHARI District- Katihar

Chhotu Murmu @ Chhotelal Murmu Son Of Late Digru Murmu Resident Of
Vill- Baigachi, Po- Kumaripur, P.S.- Manihari Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshuman Jaipuriyar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Manihari P.S. Case No.
129 of 2016, registered for the offence punishable under
Sections 307, 302 and other allied sections of the Indian Penal
Code and section 27 of the Arms Act.

Prayer for bail of the petitioner has been rejected
thrice by this Hon'ble Court. Vide last order dated 21.10.2019
prayer for bail of the petitioner was rejected with an observation
that trial must conclude within a fortnight.

It is submitted on behalf of the petitioner that even
after lapse of one and half years, trial has not been concluded. It
is submitted on behalf of petitioner that case of the prosecution
has already been closed and at present case was posted for final



argument. In the meanwhile, informant moved before this Hon'ble Court and vide order dated 24.02.2020 passed in Cr. Misc. No. 12899 of 2020 whereby further proceeding in Sessions Trial Case No. 37 of 2018 arising out of Manihari PS Case No. 129 of 2016 has been kept in abeyance and as such, there is no likelihood to conclude the trial in near future. Petitioner is in custody since 25.06.2016.

Considering the facts and circumstances of the case and period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Katihar in connection with Manihari P.S. Case No. 129 of 2016, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

vinita/-

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

